

HOUSE JOURNAL
FIRST LEGISLATIVE DAY - JANUARY 4, 1999

**HOUSE JOURNAL
FIRST LEGISLATIVE DAY**

Helena, Montana
January 4, 1999

House Chambers
State Capitol

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the 56th Legislature of the State of Montana was called to order by the Honorable Mike Cooney, Secretary of State of the State of Montana.

Posting of the Colors by Captain Mike Yaeger and staff from the Montana National Honor Guard and the Pledge of Allegiance to the Flag followed.

Invocation was sung by Ms. Karla Gallatin of Polson, Montana.

Secretary Cooney recognized the Montana tribal leaders and Lieutenant Governor Judy Martz.

Chief Clerk Marilyn Miller called the roll of the members of the House of Representatives of the 56th Legislature. District No.1, Marian W. Hanson; District No. 2, Ralph Lenhart; District No. 3, Tom Zook; District No. 4, Gary Matthews; District No. 5, Lila V. Taylor; District No. 6, Bill Eggers; District No. 7, Monica J. Lindeen; District No. 8, Bob Clark; District No. 9, Mark E. Noennig; District No. 10, Royal C. Johnson; District No. 11, Kim Gillan; District No. 12, Loren L. Soft; District No. 13, Joan Hurdle; District No. 14, Roy Brown; District No. 15, Daniel C. Fuchs; District No. 16, Jay Stovall; District No. 17, Billie I. Krenzler; District No. 18, Bruce T. Simon; District No. 19, Tom Dell; District No. 20, Peggy Arnott Bergsagel; District No. 21, Daniel W. McGee; District No. 22, Brad Molnar; District No. 23, Joan Andersen; District No. 24, Robert R. Story Jr.; District No. 25, Shiell W. Anderson; District No. 26, Bob Raney; District No. 27, Bob Davies; District No. 28, Cindy Younkin; District No. 29, Beverly Barnhart; District No. 30, Emily Swanson; District No. 31, Steve Vick; District No. 32, Joe Barnett; District No. 33, Karl Ohs; District No. 34, Bill Tash; District No. 35, Steven J. Gallus; District No. 36, Joe Quilici; District No. 37, Bob Pavlovich; District No. 38, Dan W. Harrington; District No. 39, Rick Dale; District No. 40, Gay Ann Masolo; District No. 41, Brennan Ryan; District No. 42, Trudi Schmidt; District No. 43, Diana E. Wyatt; District No. 44, George Golie; District No. 45, Jeff Mangan; District No. 46, Carley Tuss; District No. 47, Joe Tropila; District No. 48, Kathleen M. Galvin-Halcro; District No. 49, Joe McKenney; District No. 50, John Cobb; District No. 51, Chris Ahner; District No. 52, Hal Harper; District No. 53, David Ewer; District No. 54, Chase Hibbard; District No. 55, Mary Anne Guggenheim; District No. 56, Gary Beck; District No. 57, William "Red" Menahan; District No. 58, Doug Mood; District No. 59, Cliff Trexler; District No. 60, Allan Walters; District No. 61, Jim Shockley; District No. 62, Matt Brainard; District No. 63, Dick Haines; District No. 64, Ron Erickson; District No. 65, Rosalie "Rosie" Buzzas; District No. 66, Gail Gutsche; District No. 67, Tom Facey; District No. 68, Carolyn Squires; District No. 69, Carol Williams; District No. 70, Linda McCulloch; District No. 71, Sylvia Bookout-Reinicke; District No. 72, Paul Clark; District No. 73, Rick Jore; District No. 74, John Mercer; District No. 75, Stanley M. Fisher; District No. 76, Paul Sliter; District No. 77, Rod Bitney; District No. 78, Roger Somerville; District No. 79, Verdell Jackson; District No. 80, Bob Lawson; District No. 81, Aubyn Curtiss; District No. 82, Scott J. Orr; District No. 83, Douglas T. Wagner; District No. 84, Darrel Adams; District No. 85, Carol C. Juneau; District No. 86, John L. Holden; District No. 87, John "Sam" Rose; District No. 88, Edith J. Clark; District No. 89, John E. Witt; District No. 90, Toni Hagener; District No. 91, Ray Peck; District No. 92, Matt McCann; District No. 93, William G. "Bill" Thomas; District No. 94, Larry Hal Grinde; District No. 95, Ernest Bergsagel; District No. 96, Sam Kitzenberg; District No. 97, Donald L. Hedges; District No. 98, Frank J. Smith; District No. 99, Betty Lou Kasten; District No. 100, William Rehbein Jr. All members present.

Mike Cooney, Secretary of State of the State of Montana extended greetings to the members on behalf of the State of Montana and delivered the following address:

Chief Justice Turnage, Ms. Gallatin, members of the 56th Montana House of Representatives, legislative staff, special guests and my fellow Montanans. It is my distinct pleasure and high honor to stand before you today and again perform the important responsibility of opening the session of the Montana House of Representatives.

This is a task that I have enjoyed performing not only because it is a Constitutional responsibility, but because of my personal memories of having served as a member of the House some 22 years ago. To each of you I offer my congratulations and extend my welcome. The people of Montana have placed their faith and confidence in each of you.

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This legislative session marks the fifty-sixth time this body has assembled in regular session in our state's history and the last of this century. You have before you great challenges. It is a time like no other. This session will be marked with both dramatic ends and amazing beginnings.

The end of the millennium will bring the departure of some of our most respected and senior colleagues from this body. Yet, it will be an opportunity for others to begin assuming new positions of leadership today. You will be responsible for choosing the path and guiding the future for our great state, for it is a time to look back on what has been accomplished and to look forward to what must be achieved.

In preparing these comments, I became a bit nostalgic thinking back to the time that I spent in these chambers as a Representative. How quickly things change. Twenty-two years ago I sat among Representatives Quilici, Harrington, Menahan and Curtiss in this chamber. We debated the issues, we fought fervently for our beliefs, and in the end we respected one another and walked away friends.

This is one of the challenges before you in the coming 90 days. The people of Montana are not asking for perfection; they are asking you to do the right thing. They ask only that you put aside partisan politics and personal desires to do what is best for all of us as Montanans. Let this be the chamber that resembles the spirit of cooperation shared by our fellow Montanans. During the next 4 months, you are the voice of those you represent. As you debate the issues, be passionate...be enthusiastic...be ardent. But when an issue has ultimately been decided, put it behind you and move on with the people's business.

As elected representatives of the people, you and I share a responsibility for the future. It's a responsibility that extends beyond the current issues of the day and instead relates to a very fundamental question. That question is this: What kind of Montana are we going to leave to our children and grandchildren?

Our Montana heritage is one built on strong traditions. We Montanans deserve a robust economy. We deserve an education system second to none, and we deserve the preservation of our natural heritage. Let your passion choose the way of sustaining this for the next generation. Let your leadership enhance what we already enjoy.

There is a tradition in this chamber to leave your signature in your desk drawer. I'm sure when you sat down today you may have noticed names from the past in your desk....Perhaps you saw the names of Max Baucus, Jim Lucas, Pat Williams, Betty Babcock, Francis Bardanouve or Dorothy Bradley. Individuals who worked long and hard with the people of Montana, fighting for our common beliefs and goals. These individuals have made their mark not just in a desk drawer, but on our state's rich history through their actions in this chamber and beyond.

As you work together over the coming 90 days here in Helena, I urge you, each of you, to ask yourselves what you want to be remembered for as members of the 56th Legislative Assembly. Will your mark simply be a signature in your desk, or will it be more?

I congratulate you again on being elected to serve in the Fifty-Sixth Legislative Session. These are exciting times for Montana; for while the challenges are great, the prospects for the future have never been brighter. Thank you and I wish you all well.

Secretary of State Cooney introduced the Honorable Jean Turnage, Chief Justice of the Supreme Court of Montana. Chief Justice Turnage administered the following oath of office:

"I do solemnly swear that I will support, protect, and defend the Constitution of the United States and the Constitution of the State of Montana and that I will discharge the duties of my office as a member of the House of Representatives with fidelity, so help me God."

Secretary of State Cooney informed the members of the House of Representatives that he had been advised that all oaths of office had been signed and received. These were presented to Justice Turnage for his acknowledgment and then filed in the Secretary of State's office.

Secretary of State Cooney called for nominations for Speaker of the House of Representatives.

Representative Harrington nominated Representative Emily Swanson, District No. 30.

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Representative Grinde nominated Representative John Mercer, District No. 74.

Following a roll call vote, Secretary of State Cooney declared Representative John Mercer, District No. 74, elected as Speaker of the House of Representatives for the 56th Legislature with a 59-41 vote.

Representatives Grinde and Swanson escorted Speaker Mercer to the rostrum where he was formally introduced by Secretary of State Cooney and presented with the Speaker's gavel.

The Sergeant-at-Arms escorted Secretary of State Cooney, Chief Justice Turnage, and Ms. Gallatin from the House Chamber.

Speaker Mercer introduced his family and then delivered his acceptance remarks:

On behalf of the people of Montana, today we begin the most extraordinary legislative session in the history of our state. This is the last legislature where the people were free to elect anyone they wanted to represent their views here in Helena. They elected you, a high honor with great responsibility.

Together with term limits, this legislature is greeted by the grim reality of Montana's lowest standing among the several states in the category of jobs and income. As a result, we all feel an unprecedented sense of urgency coupled with the necessary desire and determination to do more than has ever been done, make the dramatic changes Montana so desperately needs. We cannot allow the hardworking people of Montana to remain in last place.

This sense of urgency resulted in the creation of the Select Committee on Jobs and Income which, together with Governor Racicot, has been working prior to the Session seeking ideas and searching for proposals that can be passed early that will begin making the difference for our citizens. Among those proposals, nothing is more important than eliminating the barrier to increased jobs and income caused by our excessive business equipment tax.

The people of Montana are still waiting for a meaningful tax reform proposal that they can support. Now is the time to craft such a proposal in a bipartisan fashion and place it before the people for their consideration.

Education is not immune from inflation, and declining enrollments create serious financial consequences for our children. In addition, maintenance of school buildings, the need for textbooks, library books and technology cannot be ignored. It is time to take some of the permanent coal tax trust fund that is invested out of state and reinvest it in our schools. Let us not put political allegiance to the coal tax trust fund ahead of our most valuable asset, our children.

It is also time to end the confusing, unpredictable and excessive taxation of motor vehicles in this state. It is time to return to the flat motor vehicle tax.

For many years the hardworking taxpayers of Montana picked up the tab for health care for fellow citizens who could not afford it. Now that we are going to receive money from the tobacco settlement to make up for health problems caused by tobacco and paid for by taxpayers, it is only fair that the majority of that money be returned to the people of Montana in the form of reduced taxes.

Many other complex issues await us, not the least of which is CI-75. Together with the Senate we have created a committee to assist with its implementation. We must never forget that all governmental power flows from the people to the government and not from the government to the people.

Although the corrections crisis has been overshadowed, it has not disappeared. Locking everyone up is not the solution, nor can we afford to go soft on crime by the excessive expansion of home arrest. Instead we must take the actions that will instill in all citizens respect for each other and respect for each other's property.

It is also important that we take swift action on the 6 mill levy and the speed limit.

In our zeal to solve the problems of our state, we must be careful not to bury ourselves in an excessive number of bills. Please discipline yourselves; set priorities and introduce only the most important legislation.

This is not Washington, DC, even though some of your constituents think that is where you are. This is Montana, where we work together, where we sincerely care about each other, where we respect each other's views; but we always get the

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job done.

Representative Swanson addressed the House members with the following:

Mr. Speaker, members of the 56th Legislature, welcome. Thank you for the opportunity to greet you on this opening day of the last regular session of the Montana legislature in this century. I am honored.

For many of us this is our last session in the House of Representatives; for many of you your first; and for those of you in between, you'll be the senior members of this body in the year 2001.

If I could offer you only one tip for this legislative session, it would be to work hard, use your best judgement, and take satisfaction from knowing you gave your very best effort for the people of Montana.

My advice, for whatever it's worth, has no basis beyond my own experience. But here are a few other thoughts especially for the thirty-six members here for your first session.

- 1) If you don't use your assigned parking space because you walk to the Capitol, there are lots of people who would like to talk to you.
- 2) Tip the pages. They deserve it.
- 3) Go to receptions. Your per diem won't stretch to cover meals all month.
- 4) Use the passageway through the restroom and Senate to avoid meeting lobbyists. But do talk to lobbyists. They are an important source of information and knowledge.
- 5) Being a legislator is hard on spouses and families. Be understanding of them when they grow tired of your long absences, early morning committee meetings, and endless phone calls.
- 6) And, remember that too many popcorn snacks today show up somewhere you don't want them tomorrow.

On a more serious note, we've all come here today eager to improve the lives of Montanans. Yes, I believe we - Democrats and Republicans - DO share this goal. We all want a healthy and prosperous future for Montana. We all want a quality of life that includes good jobs, thriving and responsible businesses, environmental care for our land, waters and wildlife, an excellent education for our children. BUT...we Democrats and you Republicans frequently choose different roads to get to this destination--this future for Montana.

That's the basis for a two-party system, and it should be a healthy sign that those differences exist.

As Minority Leader, I will make sure Democratic voices are heard in debates about how we best achieve our goals. The people of Montana expect and deserve to hear all sides of the debate in these halls.

So how are these differences shaping up as we enter the Fifty-Sixth Session? We're all looking at how to spur the Montana economy. It's not an easy problem to solve. We didn't get to fiftieth in personal income overnight, and a few bills this session aren't going to turn us around overnight. What we need is a set of solutions that invest in our future. The best of these we can agree on. Some we may not.

There will be differences between us. Many Republicans believe that elimination of the business equipment tax will spur the economy. Democrats believe it is time to give homeowners the tax break first, and then give a targeted tax exemption on business equipment.

In education, Democrats believe that schools need money in their base budgets if they are to maintain small class sizes and keep well-qualified teachers. Maybe we can agree on that, but last session Republicans favored one-time money to meet schools' needs. You can't give children an occasional nutritious meal to provide what they need to grow and be healthy; we know that the same is true about education. You don't build strong bones with one nutritious meal, and you don't build strong futures with one-time, one-shot funding for schools. Adequate funding, high academic standards, and accountability are what Democrats have always stood for.

And how are we going to provide jobs and a living wage for Montana families? How do we get jobs in Malta and Darby and Dillon? We know it's unlikely that Microsoft will build a plant in Malta. We know agricultural products are at all-time low prices. We know that many people are having to work two or even three jobs. So we need products that improve yields or cut costs for agricultural producers. We need business in Darby that adds value to natural resources found in the Bitterroot and increases well-paid manufacturing jobs. We need products that can be manufactured in Dillon

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and shipped to markets via I-15. This is where research at our universities holds such great promise for economic growth in Montana. Research provides the real opportunity for development of products which are right for Montana production and marketing. At UM they are working on a vaccine for AIDS which has great promise and could spin off into licensing agreements, production, and good jobs for Montanans. At MSU, Ag research produced McNeal spring wheat with higher protein content and improved yields per acre for farmers along the Hi-Line. Research needs a firm commitment of state dollars. I am hopeful that we can agree to an ongoing funding source of these dollars so development of products and processes can boost our economy.

We have much to discuss. I look forward to knowing and learning from each of you as we chart the course of Montana's future together. We come from different parts of the state. We represent different sorts of people: Montanans who live in Representative Kasten's district and Montanans who live in Representative Golie's district may not have much in common. Yet, we are here to design policy which helps all of them. We owe it to all of Montana to have vigorous, respectful, and civil debate about what we decide here. We owe it to all of Montana to listen to citizens and respond to their needs. As Winston Churchill said so well, "The ears of a leader ring with the voices of the people." Thank you.

Representative Ohs moved the following be nominated as officers of the House of Representatives for the 56th Legislature:

Speaker Pro Tempore - Representative Doug Mood
Chief Clerk - Marilyn Miller
Sergeant-at-Arms - Nancy Meuli

The House officers were unanimously elected.

Chief Clerk Marilyn Miller announced that the caucuses have elected the following officials:

House Majority Leader - Representative Larry Grinde
House Minority Leader - Representative Emily Swanson
House Majority Whips - Representative Karl Ohs and Representative Paul Sliter
House Minority Whip - Dan Harrington
Minority Caucus Leader - Linda McCulloch

Representative Grinde moved that the rules of the 55th Legislature be adopted as the temporary operating rules of the 56th Legislature with the exception that the amendments adopted by the Joint Rules Committee to Joint Rule 40-40 imposing a 4-request limit on bills requested after 11 a.m. on December 18, 1998, and exempting bills requested by a joint select or joint special committee from cancellation for failing to be preintroduced also be adopted.

Motions passed.

Representative Grinde moved that the Speaker appoint a committee of four members to notify the Governor that the House is now organized and ready for business. Motion carried.

Mr. Speaker appointed Representatives Hanson, Chairman, Barnhart, Quilici, and Zook.

Representative Grinde moved that the Speaker appoint a committee of four members to notify the Senate that the House is now organized and ready for business.

Mr. Speaker appointed Representatives Ahner, Chairman, Barnett, Hagener, and Menahan.

Representative Grinde moved that the Speaker appoint a committee of four members to notify the Supreme Court by letter that the House is now organized and ready for business.

Mr. Speaker appointed Representatives B. Clark, Chairman, Curtiss, Pavlovich, and Wyatt.

The committees were discharged from the chamber.

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Mr. Speaker directed the House to stand at ease to await the report of the Select Committee from the Senate and the three Select Committees of the House.

REPORTS OF SELECT COMMITTEES

A committee from the Senate composed of Senators Bohlinger, Ellis, Keenan, Tester, Roush, and Cocchiarella was admitted and reported to the House that the Senate was organized and ready for any legislation the House might care to send it.

The committee appointed to notify the Governor that the House is ready for business reported it had done so. The committee was thanked and discharged.

The committee appointed to notify the Senate that the House is ready for business reported that it had done so. The committee was thanked and discharged.

The committee appointed to notify the Supreme Court that the House is ready for business reported it had done so. The committee was thanked and discharged.

The following employees were recommended to be hired by the 56th Legislature:

CHIEF CLERK'S OFFICE AND ROSTRUM STAFF

Chief Clerk - Marilyn Miller
Assistant Chief Clerks - Marilynn Petek, Louise Sullivan
Aide to the Chief Clerk - Joanna Bankhead
Journal Clerk - Andrea Small
Voting Clerk - Tim Love
Bills Clerk - Carolyn Renaud
Status Clerk - Meg Angell
Bills Coordinator - Elaine Eck
Amendments Coordinator - Abe Moore
Reading Clerk/Assistant Amendments Coordinator - David Halvorson

SERGEANT-AT-ARMS STAFF

Sergeant-at-Arms - Nancy Meuli
Security - Terry Janeway, Ben Hainlin, Don Ramage, Dan Gilmore
Pages - Dana Rowe
Supply Clerk - Lorraine Peterson
Bills Distributor - Darren Schuldheiss

LEADERSHIP STAFF

Secretary to Speaker - Amy Casterline
Admin Asst. to the Speaker - Paul Bankhead
Admin Asst. to the Majority Leader - Travis Rothweiler
Aide to Majority Leader - Ben Good
Secretary to Minority Leader - Melissa Shannon
Aide to the House Minority Leader - Brenda Elias
Permanent Page to the Minority Leader- Tim Tatarka

WORD PROCESSORS

Karen Cutler
Susie Hamilton

COMMITTEE AIDES

Virginia Peterson
Jeri Hoff
Tempie Daigle
Jo Ann Daly

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COMMITTEE SECRETARIES

Agriculture - Joyce Bankhead

Appropriations - Joanne Gunderson

Approp/Subcommittees:

Education - Marty Eddleman

Gen Gov - Lynn Daily

Hum. Serv. - Delila Croucher

Inst. - Linsey Mortensen

Long Range - Cassandra Drynan

Nat. Res. - Summer Alger

Bus/Labor - Pati O'Reilly

Education - Linda Scott

FWP - Mikell Johnson

Human Serv. - Jaelene Racicot

Judiciary - Pam Schindler

Natural Resources - Deb Thompson

Loc. Govt. - Kimberly Walkenhorst

State Admin - Karen Mills

State/Fed Rel - Deb Thompson

Taxation - Donna Grace

Transportation - Mary Lou Schmitz

FIRST READING AND COMMITMENT OF BILLS

The following House bills and resolution were introduced, read first time, and referred to committees:

HB 1, introduced by T. Zook, referred to Appropriations.

HB 2, introduced by T. Zook (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 3, introduced by T. Zook (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 4, introduced by L. Taylor (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 5, introduced by M. McCann (by request of the Department of Administration, and the Governor), referred to Appropriations.

HB 6, introduced by M. McCann (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Appropriations.

HB 7, introduced by M. McCann (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Appropriations.

HB 8, introduced by M. McCann (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Appropriations.

HB 9, introduced by M. McCann (by request of the Montana Arts Council and the Office of Budget and Program Planning), referred to Appropriations.

HB 10, introduced by J. Quilici (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 11, introduced by M. McCann (by request of the Department of Commerce and the Office of Budget and Program Planning), referred to Appropriations.

HB 12, introduced by J. Quilici (by request of the Department of Environmental Quality and the Office of Budget and Program Planning), referred to Appropriations.

HB 13, introduced by R. Johnson (by request of the Governor), referred to Appropriations.

HB 14, introduced by R. Johnson (by request of the Governor), referred to Appropriations.

HB 15, introduced by T. Zook (by request of the Director of Revenue and the Office of Budget and Program Planning), referred to Appropriations.

HB 16, introduced by B. Pavlovich, referred to Judiciary.

HB 17, introduced by B. Lawson, referred to Local Government.

HB 18, introduced by B. Lawson, referred to Transportation.

HB 19, introduced by S. Kitzenberg, R. Holden, referred to State Administration.

HB 20, introduced by S. Kitzenberg, referred to Fish, Wildlife and Parks.

HB 21, introduced by B. Pavlovich, referred to Education.

HB 22, introduced by S. Kitzenberg, referred to Transportation.

HB 23, introduced by S. Kitzenberg, referred to Transportation.

HB 24, introduced by L. Soft (by request of the Joint Oversight Committee on Children and Families), referred to

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Judiciary.

HB 25, introduced by B. Pavlovich (by request of the Joint Interim Subcommittee on Veterans' Needs), referred to Appropriations.

HB 26, introduced by S. Kitzenberg, referred to Fish, Wildlife and Parks.

HB 27, introduced by M. Noennig, referred to Judiciary.

HB 28, introduced by M. Noennig, referred to Judiciary.

HB 29, introduced by K. Ohs (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 30, introduced by R. Peck (by request of the Department of Commerce), referred to Business and Labor.

HB 31, introduced by R. Peck (by request of the Department of Commerce), referred to Business and Labor.

HB 32, introduced by R. Johnson (by request of the Department of Commerce), referred to Business and Labor.

HB 33, withdrawn

HB 34, introduced by J. Stovall (by request of the Committee on Indian Affairs), referred to Appropriations.

HB 35, introduced by C. Ahner (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 36, introduced by J. Quilici (by request of the Department of Military Affairs), referred to State Administration.

HB 37, introduced by J. Quilici, referred to Education.

HB 38, introduced by R. Peck (by request of the Code Commissioner), referred to Judiciary.

HB 39, introduced by K. Gillan (by request of the Interim Property Tax Committee), referred to Taxation.

HB 40, introduced by S. Kitzenberg, referred to Fish, Wildlife and Parks.

HB 41, introduced by T. Hagener (by request of the Supreme Court), referred to Appropriations.

HB 42, introduced by B. Pavlovich, referred to Judiciary.

HB 43, introduced by B. Pavlovich, referred to Business and Labor.

HB 44, introduced by R. Johnson (by request of the Department of Commerce), referred to Human Services.

HB 45, introduced by B. Lawson, referred to Education.

HB 46, introduced by B. Lawson (by request of the State Auditor), referred to Business and Labor.

HB 47, introduced by S. Anderson (by request of the State Auditor), referred to Judiciary.

HB 48, introduced by D. McGee, C. Christiaens (by request of the Correctional Standards and Oversight Committee), referred to Judiciary.

HB 49, introduced by T. Hagener, referred to Appropriations.

HB 50, introduced by M. McCann (by request of the Department of Commerce), referred to Appropriations.

HB 51, introduced by H. Harper (by request of the Department of Natural Resources and Conservation), referred to Agriculture.

HB 52, introduced by R. Menahan (by request of the Department of Military Affairs), referred to Human Services.

HB 53, introduced by R. Clark (by request of the Department of Corrections), referred to Judiciary.

HB 54, introduced by R. Menahan (by request of the House Appropriations Committee), referred to Judiciary.

HB 55, introduced by R. Peck, referred to State Administration.

HB 56, introduced by R. Menahan, referred to State Administration.

HB 57, introduced by J. Mercer (by request of the Board of Regents of Higher Education), referred to Business and Labor.

HB 58, introduced by C. Younkin (by request of the Petroleum Tank Release Compensation Board), referred to Natural Resources.

HB 59, introduced by D. Mood (by request of the Department of Corrections), referred to Judiciary.

HB 60, introduced by J. Cobb, referred to Taxation.

HB 61, introduced by J. Cobb, referred to State Administration.

HB 62, introduced by J. Quilici (by request of the Department of Commerce), referred to Business and Labor.

HB 63, introduced by B. Simon, referred to Business and Labor.

HB 64, introduced by M. McCann, referred to Appropriations.

HB 65, introduced by C. Ahner (by request of the Department of Corrections), referred to Judiciary.

HB 66, introduced by J. Cobb, referred to State Administration.

HB 67, introduced by B. Pavlovich, referred to Appropriations.

HB 68, introduced by J. Cobb, referred to Taxation.

HB 69, introduced by M. McCann (by request of the Legislative Finance Committee), referred to Appropriations.

HB 70, introduced by J. Hurdle (by request of the Department of Public Health and Human Services), referred to Human Services.

HB 71, introduced by S. Rose, referred to Education.

HB 72, introduced by J. Mercer (by request of the Teachers' Retirement Board), referred to State Administration.

HB 73, introduced by S. Rose, referred to Business and Labor.

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HB 74, introduced by D. Mood (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 75, introduced by C. Ahner (by request of the Department of Military Affairs), referred to Appropriations.

HB 76, introduced by R. Somerville, referred to Judiciary.

HB 77, introduced by J. Hurdle, referred to Judiciary.

HB 78, introduced by M. Brainard, referred to State Administration.

HB 79, introduced by M. Brainard (by request of the Committee on Public Employee Retirement Systems), referred to State Administration.

HB 80, introduced by J. Cobb, (by request of the Department of Natural Resources and Conservation), referred to Agriculture.

HB 81, introduced by R. Menahan, referred to Judiciary.

HB 82, introduced by H. Harper (by request of the State Tax Appeal Board), referred to Taxation.

HB 83, introduced by D. Mood (by request of the Committee on Public Employee Retirement Systems), referred to State Administration.

HB 84, introduced by D. Ewer (by request of the Public Employees' Retirement Board), referred to Judiciary.

HB 85, introduced by B. Simon, referred to Human Services.

HB 86, introduced by D. Wyatt, referred to Taxation.

HB 87, introduced by D. Wyatt, referred to Taxation.

HB 88, introduced by R. Peck, referred to Business and Labor.

HB 89, introduced by S. Bookout-Reinicke (by request of the Department of Military Affairs), referred to State/Federal Relations.

HB 90, introduced by T. Hagener (by request of the Office of Public Instruction), referred to Education.

HB 91, introduced by B. Simon, referred to Local Government.

HB 92, introduced by R. Somerville (by request of the Department of Justice and the Governor), referred to Natural Resources.

HB 93, introduced by B. Pavlovich (by request of the Joint Interim Subcommittee on Veterans' Needs), referred to Fish, Wildlife and Parks.

HB 94, introduced by J. Cobb, (by the request of the Department of Justice), referred to Judiciary.

HB 95, introduced by B. Story (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 96, introduced by L. Grinde (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 97, introduced by H. Harper, S. Doherty, referred to Business and Labor.

HB 98, introduced by B. Simon (by request of the Board of Plumbers), referred to Business and Labor.

HB 99, introduced by T. Hagener, referred to Local Government.

HB 100, introduced by B. Simon (by request of the State Auditor), referred to Business and Labor.

HB 101, introduced by S. Bookout-Reinicke (by request of the Department of Environmental Quality and the Department of Public Health and Human Services), referred to Business and Labor.

HB 102, introduced by S. Fisher, referred to Natural Resources.

HB 103, introduced by R. Peck (by request of the Office of Public Instruction), referred to Education.

HB 104, introduced by T. Hagener (by request of the Supreme Court), referred to Judiciary.

HB 105, introduced by L. McCulloch, D. Mahlum, referred to Transportation.

HB 106, introduced by L. McCulloch (by request of the Department of Justice), referred to Judiciary.

HB 107, introduced by L. McCulloch (by request of the State Library Commission), referred to Local Government.

HB 108, introduced by E. Swanson (by request of the Interim Property Tax Committee), referred to Taxation.

HB 109, introduced by J. Mercer (by request of the Department of Justice), referred to Business and Labor.

HB 110, introduced by R. Johnson (by request of the Department of Natural Resources and Conservation), referred to Appropriations.

HB 111, introduced by M. Guggenheim (by request of the State Auditor), referred to Human Services.

HB 112, introduced by D. Hedges (by request of the Board of Cosmetologists), referred to Business and Labor.

HB 113, introduced by C. Younkin (by request of the Department of Environmental Quality), referred to Natural Resources.

HB 114, introduced by L. McCulloch, referred to Transportation.

HB 115, introduced by D. McGee (by request of the Department of Corrections), referred to Judiciary.

HB 116, introduced by D. McGee (by request of the Correctional Standards and Oversight Committee), referred to Judiciary.

HB 117, introduced by K. Ohs, referred to State Administration.

HB 118, introduced by D. Mood (by request of the Teachers' Retirement Board), referred to State Administration.

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HB 119, introduced by D. Mood (by request of the Public Employees' Retirement Board), referred to State Administration.

HB 120, introduced by R. Brown (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 121, introduced by B. Krenzler (by request of the State Auditor), referred to Business and Labor.

HB 122, introduced by R. Jore, referred to Business and Labor.

HB 123, introduced by R. Menahan (by request of the Department of Justice), referred to Local Government.

HB 124, introduced by D. Haines (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 125, introduced by R. Johnson, (by the request of the State Library Commission), referred to Education.

HB 126, introduced by R. Johnson (by request of the Department of Public Health and Human Services), referred to Human Services.

HB 127, introduced by R. Johnson (by request of the Department of Public Health and Human Services), referred to Judiciary.

HB 128, introduced by K. Gillan (by request of the Revenue Oversight Committee), referred to Taxation.

HB 129, introduced by J. Stovall, referred to Transportation.

HB 130, introduced by B. Story (by request of the Department of Agriculture), referred to Agriculture.

HB 131, introduced by B. Kasten (by request of the Governor), referred to Appropriations.

HB 132, introduced by B. Kasten (by request of the Department of Revenue), referred to Taxation.

HB 133, introduced by R. Buzzas, (by request of the Office of Public Instruction), referred to Appropriations.

HB 134, introduced by D. McGee (by request of the Correctional Standards and Oversight Committee), referred to Judiciary.

HB 135, introduced by J. Stovall (by request of the Department of Justice), referred to Judiciary.

HB 136, introduced by C. Williams (by request of the State Auditor), referred to Business and Labor.

HB 137, introduced by S. Anderson (by request of the Department of Revenue), referred to Taxation.

HB 138, introduced by H. Harper (by request of the Department of Transportation), referred to Taxation.

HB 139, introduced by H. Harper (by request of the Department of Transportation), referred to Taxation.

HB 140, introduced by B. Pavlovich (by request of the Department of Commerce), referred to Business and Labor.

HB 141, introduced by T. Hagener (by request of the Secretary of State), referred to State Administration.

HB 142, introduced by S. Anderson (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 143, introduced by R. Somerville, referred to Judiciary.

HB 144, introduced by R. Menahan, referred to State Administration.

HB 145, introduced by G. Masolo (by request of the Governor and the Office of Public Instruction), referred to Education.

HB 146, introduced by R. Menahan, referred to Judiciary.

HB 147, introduced by R. Menahan, referred to Judiciary.

HB 148, introduced by G. Golie, referred to State Administration.

HB 149, introduced by B. Davies, referred to Judiciary.

HB 150, introduced by R. Menahan (by request of the Secretary of State), referred to Business and Labor.

HB 151, introduced by J. Witt, referred to Local Government.

HB 152, introduced by S. Anderson (by request of the State Library Commission), referred to Taxation.

HB 153, introduced by D. Hedges (by request of the Board of Funeral Service), referred to Business and Labor.

HB 154, introduced by S. Gallus (by request of the State Auditor), referred to Business and Labor.

HB 155, introduced by B. Pavlovich (by request of the State Auditor), referred to Business and Labor.

HB 156, introduced by J. Tropila (by request of the State Auditor), referred to Business and Labor.

HB 157, introduced by C. Squires (by request of the State Auditor), referred to Business and Labor.

HB 158, introduced by K. Ohs (by request of the Department of Environmental Quality), referred to Natural Resources.

HB 159, introduced by K. Ohs (by request of the Department of Environmental Quality), referred to Natural Resources.

HB 160, introduced by K. Ohs (by request of the Department of Environmental Quality), referred to Natural Resources.

HB 161, introduced by K. Ohs (by request of the Department of Environmental Quality), referred to Natural Resources.

HB 162, introduced by K. Ohs (by request of the Department of Environmental Quality), referred to Natural Resources.

HB 163, introduced by K. Ohs (by request of the Department of Environmental Quality), referred to Natural Resources.

HB 164, introduced by K. Ohs (by request of the Department of Environmental Quality), referred to Natural Resources.

HB 165, introduced by K. Ohs (by request of the Department of Environmental Quality), referred to Natural Resources.

HB 166, introduced by B. Kasten (by request of the Department of Revenue), referred to Taxation.

HB 167, introduced by R. Johnson, referred to Business and Labor.

HB 168, introduced by B. Kasten (by request of the Department of Revenue), referred to Taxation.

HB 169, introduced by J. Quilici, (by request of the Department of Transportation), referred to Transportation.

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HB 170, introduced by G. Masolo (by request of the Department of Public Health and Human Services), referred to Human Services.

HB 171, introduced by G. Matthews, (by request of the State Auditor), referred to Business and Labor.

HB 172, introduced by C. Hibbard (by request of the Department of Transportation), referred to Transportation.

HB 173, introduced by R. Somerville (by request of the Department of Military Affairs), referred to State/Federal Relations.

HB 174, introduced by C. Hibbard (by request of the Revenue Oversight Committee), referred to Taxation.

HB 175, introduced by K. Gillan, referred to State Administration.

HB 176, introduced by E. Bergsagel (by request of the Correctional Standards and Oversight Committee), referred to Judiciary.

HB 177, introduced by C. Hibbard (by request of the Revenue Oversight Committee), referred to Taxation.

HB 178, introduced by C. Hibbard (by request of the Revenue Oversight Committee), referred to Taxation.

HB 179, introduced by P. Sliter (by request of the Department of Labor and Industry), referred to Business and Labor.

HB 180, introduced by L. Soft (by request of the Department of Public Health and Human Services), referred to Judiciary.

HB 181, introduced by P. Sliter (by request of the State Auditor), referred to Business and Labor.

HB 182, introduced by C. Ahner (by request of the Public Employees' Retirement Board), referred to State Administration.

HB 183, introduced by R. Dale (by request of the Department of Environmental Quality), referred to Natural Resources.

HB 184, introduced by H. Harper, referred to Business and Labor.

HB 185, introduced by R. Menahan (by request of the Correctional Standards and Oversight Committee), referred to Appropriations.

HB 186, introduced by R. Peck, referred to Business and Labor.

HB 187, introduced by J. Tropila (by request of the Department of Transportation), referred to Transportation.

HB 188, introduced by C. Tuss (by request of the Secretary of State), referred to State Administration.

HB 189, introduced by J. Barnett (by request of the Department of Transportation), referred to Transportation.

HB 190, introduced by L. Soft (by request of the Joint Oversight Committee on Children and Families), referred to Human Services.

HB 191, introduced by K. Gillan (by request of the Revenue Oversight Committee), referred to Taxation.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 1, introduced by L. McCulloch, M. Halligan, referred to Education.

HJR 2, introduced by B. Story (by request of the Revenue Oversight Committee), referred to Taxation.

HJR 3, introduced by K. Ohs, L. Grosfield (by request of the Environmental Quality Council), referred to Natural Resources.

HJR 4, introduced by A. Walters, referred to Fish, Wildlife and Parks.

The following House resolution was introduced, read first time, and referred to committee:

HR 1, introduced by L. Grinde (by request of the House Rules Committee), referred to Rules.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:30 p.m., Tuesday, January 5, 1999. Motion carried.

House adjourned at 1:15 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
SECOND LEGISLATIVE DAY**

Helena, Montana
January 5, 1999

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Ahner . Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 192, introduced by J. Andersen, referred to Local Government.
HB 193, introduced by J. Cobb, referred to Agriculture.
HB 194, introduced by J. Cobb, referred to State Administration.
HB 195, introduced by J. Cobb, referred to Agriculture.
HB 196, introduced by J. Cobb, referred to Business and Labor.
HB 197, introduced by J. Cobb, referred to State Administration.
HB 198, introduced by J. Cobb, referred to State Administration.
HB 200, introduced by J. Cobb, referred to Business and Labor.
HB 201, introduced by J. Cobb, referred to Business and Labor.
HB 202, introduced by J. Cobb, referred to Business and Labor.
HB 203, introduced by J. Shockley, referred to Judiciary.
HB 204, introduced by J. Shockley, referred to Local Government.
HB 205, introduced by B. Tash, referred to Natural Resources.
HB 206, introduced by S. Fisher, referred to Taxation.
HB 207, introduced by R. Johnson, referred to Appropriations.
HB 208, introduced by R. Johnson, referred to Transportation.
HB 209, introduced by J. Shockley, referred to Judiciary.
HB 210, introduced by R. Johnson, referred to Local Government.

SPECIAL ORDERS OF THE DAY

The following cosponsor was added to **HB 82**: Representative Hibbard.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:30 p.m., Wednesday, January 6, 1999. Motion carried.

House adjourned at 1:40 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
THIRD LEGISLATIVE DAY**

Helena, Montana
January 6, 1999

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Soft. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives P. Bergsagel, Harrington, and Johnson. Quorum present.

REPORTS OF STANDING COMMITTEES

HB 1, introduced bill, be amended as follows:

1. Page 1, line 13.

Strike: "\$1,839,415"

Insert: "\$1,709,020"

2. Page 1, line 14.

Strike: "3,104,947"

Insert: "2,815,977"

3. Page 1, line 16.

Insert: "4. House of Representatives (26) 282,970

The amount appropriated must be used solely for the purpose of retirement contributions for house members reaching term limits in the year 2000.

5. Senate (25) 124,395

The amount appropriated must be used solely for the purpose of retirement contributions for senate members reaching term limits in the year 2000."

And, as amended, do pass. Report adopted.

HB 73, introduced bill, be amended as follows:

1. Title, page 1, line 11.

Following: "LICENSEES;"

Strike: the remainder of line 11 through "MCA;" on line 13

2. Title, page 1, line 14.

Strike: "75-11-505,"

3. Page 6, line 26.

Following: "Title 75,"

Insert: "chapter 11,"

4. Page 7, line 18 through page 8, line 6.

Strike: section 7 in its entirety

Renumber: subsequent sections

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And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 211, introduced by R. Johnson, referred to Local Government.

HB 212, introduced by T. Hagener, C. Christiaens, J. Hertel, J. Witt, referred to Local Government.

HB 213, introduced by D. McGee, referred to Judiciary.

HB 214, introduced by D. McGee, referred to Judiciary.

HB 215, introduced by D. Ewer, P. Clark, referred to Fish, Wildlife and Parks.

HB 216, introduced by B. Pavlovich, V. Cocchiarella, M. Cole, G. Devlin, A. Ellis, S. Gallus, J. Harp, D. Harrington, M. Lindeen, J. Lynch, D. Mahlum, J. Mangan, G. Matthews, B. McCarthy, R. Menahan, J. Quilici, G. Roush, B. Ryan, D. Shea, C. Squires, C. Swysgood, J. Tropila, referred to Business and Labor.

HB 217, introduced by S. Rose, referred to Agriculture.

HB 218, introduced by S. Rose, referred to Agriculture.

HB 219, introduced by S. Rose, referred to Agriculture.

HB 220, introduced by S. Rose, referred to Education.

SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HB 20**: Representatives D. Fuchs, K. Gillan, T. Hagener, D. Hedges, R. Lenhart, M. Lindeen, G. Matthews, M. McCann, R. Peck, B. Rehbein, F. Smith, and Senators A. Bishop, J. Bohlinger, L. Grosfield, J. Harp, J. Hertel, R. Holden, T. Keating, J.D. Lynch, W. McNutt, A. Mohl, L. Nelson, M. Sprague, J. Tester, D. Toews.

The following cosponsors were added to **HB 26**: Representatives D. Fuchs, K. Gillan, T. Hagener, D. Hedges, R. Lenhart, M. Lindeen, G. Matthews, M. McCann, R. Peck, B. Rehbein, F. Smith, and Senators A. Bishop, J. Bohlinger, L. Grosfield, J. Harp, J. Hertel, R. Holden, T. Keating, J.D. Lynch, W. McNutt, A. Mohl, L. Nelson, M. Sprague, and J. Tester.

The following joint proclamation was announced:

A JOINT PROCLAMATION OF THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF THE STATE OF MONTANA

WHEREAS, in 1997, Dan Mortensen was the Professional Rodeo Cowboys Association World All-Around Champion; and

WHEREAS, he was named the PRCA World Champion Saddle Bronc Rider for the fifth time on December 13, 1998; and

WHEREAS, in the process of winning five times and the exposure this has given him, he has become the unofficial ambassador for the Montana farm and ranch community and the values it stands for; and

WHEREAS, he has set such a fine example for the young people, not only in Montana, but the United States in the sport of rodeo, the State Legislature is pleased to recognize his efforts and achievements.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the congratulations of all Montanans be extended to Dan Mortensen for the exceptional qualities he has shown

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to friends and fans everywhere.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:30 p.m., Thursday, January 7, 1999. Motion carried.

House adjourned at 1:45 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
FOURTH LEGISLATIVE DAY**

Helena, Montana
January 7, 1999

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Masolo. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/7/1999
Correctly printed: **HB 1, HB 73**
Correctly engrossed : **HB 1**

BUSINESS AND LABOR (Simon, Chairman): 1/7/1999
HB 30, do pass. Report adopted.
HB 32, do pass. Report adopted.
HB 57, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 221, introduced by C. Trexler, referred to Agriculture.
HB 222, introduced by K. Gillan, B. Barnhart, C. Juneau, S. Kitzenberg, B. Krenzler, B. Molnar, T. Schmidt, J. Tester, referred to State Administration.
HB 223, introduced by B. Lawson, referred to Local Government.
HB 224, introduced by S. Kitzenberg, referred to Fish, Wildlife and Parks.
HB 225, introduced by S. Kitzenberg, referred to Fish, Wildlife and Parks.
HB 226, introduced by S. Kitzenberg, referred to Appropriations.
HB 227, introduced by B. Molnar, referred to Business and Labor.
HB 228, introduced by D. Ewer, M. Lindeen, referred to State Administration.
HB 229, introduced by D. Ewer, referred to Business and Labor.
HB 230, introduced by J. Holden, referred to Local Government.
HB 231, introduced by J. Witt, referred to Transportation.
HB 232, introduced by S. Rose, referred to Agriculture.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 5, introduced by R. Jore, M. Brainard, A. Curtiss, B. Davies, S. Orr, B. Rehbein, A. Walters, J. Wells, referred to State/Federal Relations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Simon in the chair.

HOUSE JOURNAL
FOURTH LEGISLATIVE DAY - JANUARY 7, 1999

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 73 - Representative Rose moved **HB 73** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Adams, E. Bergsagel, Jore, Rehbein, Wagner.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 1 - Representative Zook moved **HB 1** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, P. Bergsagel, Jore, Lawson, Rehbein, Sliter, Wagner.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Simon moved the Committee of the Whole report be adopted. Report adopted as follows:

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Ayes: Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Beck, E. Bergsagel, Bitney, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, Jore.

Total 2

Excused: None.

Total 0

Absent or not voting: Barnhart, Bookout-Reinicke, Buzzas, Grinde, Holden, Jackson, Mood, Schmidt.

Total 8

MOTIONS

Representative Grinde moved **HB 157** be taken from the Committee on Business and Labor and be rereferred to the Committee on Human Services.

Representative Grinde moved the rules be suspended to permit placement and consideration of **HB 1** on second and third readings and transmittal to the Senate this legislative day. Motion carried.

THIRD READING OF BILLS

The following bill, having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 1 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Adams, P. Bergsagel, Jore, Lawson, Rehbein, Sliter, Wagner.

Total 7

Excused: None.

Total 0

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Absent or not voting: S. Anderson, Younkin.
Total 2

SPECIAL ORDERS OF THE DAY

The following cosponsor was added to **HB 28**: K. Galvin-Halcro.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Friday, January 8, 1999. Motion carried.

House adjourned at 2:00 a.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
FIFTH LEGISLATIVE DAY**

Helena, Montana
January 8, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Kitzenberg. Pledge of Allegiance to the Flag.

Roll Call. All members present except P. Bergsagel, R. Buzzas, and R. Johnson. Quorum present.

Mr. Speaker introduced the pages of the week:

Andrea Jones, Lincoln
Sara Walters, Hamilton
Catrina Miller, Cascade
Thomas Morris, Ronan
Crystal Thompson, Helena
James Moore (Honorary), Helena

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/8/1999
Correctly printed: **HB 30, HB 32, HB 57.**
Correctly engrossed: **HB 73.**

JUDICIARY (Clark, Chairman): 1/7/1999
HB 38, do pass. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman): 1/8/1999
HB 55, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 233, introduced by T. Schmidt, J. Bohlinger, referred to Judiciary.
HB 234, introduced by C. Ahner, B. Pavlovich, referred to State/Federal Relations.
HB 235, introduced by J. Witt, C. Ahner, E. Clark, referred to Judiciary.
HB 236, introduced by J. Barnett, D. Hargrove, referred to Education.
HB 237, introduced by E. Swanson, B. DePratu, L. Grosfield, D. Mood, K. Ohs, B. Simon, M. Taylor, J. Tester, C. Tuss, M. Waterman, referred to Joint Select Committee on Jobs and Income.
HB 238, introduced by K. Ohs, B. DePratu, L. Grosfield, D. Mood, M. Taylor, C. Tuss, referred to Joint Select Committee on Jobs and Income.
HB 239, introduced by C. Tuss, B. DePratu, L. Grosfield, D. Mood, K. Ohs, E. Swanson, J. Tester, M. Waterman, referred to Joint Select Committee on Jobs and Income.
HB 240, introduced by E. Swanson, B. DePratu, D. Mood, K. Ohs, M. Taylor, J. Tester, C. Tuss, M. Waterman, referred to Joint Select Committee on Jobs and Income.
HB 241, introduced by B. Ryan, E. Franklin, J. Lynch, J. Tropila, referred to State Administration.
HB 242, introduced by R. Jore, referred to Education.

The following House joint resolutions were introduced, read first time, and referred to committees:

HOUSE JOURNAL
FIFTH LEGISLATIVE DAY - JANUARY 8, 1999

HJR 6, introduced by D. Mood, B. DePratu, L. Grosfield, K. Ohs, B. Simon, E. Swanson, M. Taylor, J. Tester, C. Tuss, M. Waterman, referred to Joint Select Committee on Jobs and Income.

HJR 7, introduced by A. Curtiss, M. Brainard, B. Davies, K. Miller, B. Molnar, S. Orr, D. Wagner, referred to State/Federal Relations.

HJR 8, introduced by A. Curtiss, M. Brainard, B. Davies, D. Fuchs, K. Miller, S. Orr, D. Wagner, referred to State/Federal Relations.

MOTIONS

Representative Grinde moved that **HB 73** be taken from today's third reading and placed on a future second reading for the purpose of adding amendments. Motion carried.

Representative Grinde moved that **HB 32** be passed for the day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Pavlovich in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 30 - Representative Peck moved **HB 30** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: P. Bergsagel, Buzzas, Johnson, Ayes.

Excused: None.
Total 0

Absent or not voting: Davies.
Total 1

HB 57 - Representative Mercer moved **HB 57** do pass. Motion carried as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 79

Noes: Barnhart, Beck, P. Clark, Ewer, Galvin-Halcro, Grinde, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Johnson, Jore, Lenhart, Mangan, Peck, Quilici, Ryan, Schmidt, Tuss, Wyatt.

Total 21

Voted Absentee: P. Bergsagel, Buzzas, Ayes; Johnson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Pavlovich moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhar Davies, Dell, Eggers, Erickson, Facey, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, t, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 84

Noes: Ewer, Harper, Harrington, Peck, Tuss.

Total 5

Excused: P. Bergsagel, Buzzas, Johnson.

Total 3

Absent or not voting: Beck, P. Clark, Fisher, Gallus, Mangan, Schmidt, Smith, Witt.

Total 8

SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HB 184**: Representatives D. Mood, E. Swanson, and Senator L. Grosfield.

ANNOUNCEMENTS

HOUSE JOURNAL
FIFTH LEGISLATIVE DAY - JANUARY 8, 1999

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 8:00 a.m., Saturday, January 9, 1999. Motion carried.

House adjourned at 1:25 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
SIXTH LEGISLATIVE DAY**

Helena, Montana
January 9, 1999

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Ahner. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Bookout-Reinicke, Buzzas, Galvin-Halcro, McGee, Menahan, Molnar, Ohs, Sliter, Taylor, and Wagner excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/9/1999
Correctly printed: **HB 38, HB 55.**
Correctly engrossed: **HB 30, HB 57.**

BUSINESS AND LABOR (Simon, Chairman): 1/8/1999
HB 63, introduced bill, be amended as follows:

1. Title, page 1, line 8.
Strike: "SECTION"
Insert: "SECTIONS"
Following: "50-60-203,"
Insert: "50-60-504, 50-60-603, 50-60-702, AND 50-74-101,"

2. Page 2, line 5.
Following: "officials;"
Insert: "and"

3. Page 2, line 7.
Following: "officials"
Strike: "·"
Insert: "·"

4. Page 2.
Strike: line 8 through line 14.

5. Page 2, line 24.
Insert: **Section 2.** Section 50-60-504, MCA, is amended to read:
 "**50-60-504. Department to ~~prescribe minimum standards~~ adopt published code.** The department of commerce shall ~~by rule prescribe minimum standards which are uniform and which are thereafter adopt the 1997 edition of the Uniform Plumbing Code, published by the international association of plumbing and mechanical officials, or, within 6 months of the publishing date, the most recent edition of the same code, as the basis for rules that are effective for all plumbing installations or maintenance, except where when exempt by 50-60-503. The department may not adopt any portion of the Uniform Plumbing Code that prescribes a cost or fee schedule. Costs and fees associated with the application and enforcement of the plumbing code are governed by 50-60-508.~~"

Insert: **Section 3.** Section 50-60-603, MCA, is amended to read:
 "**50-60-603. Electrical installations to comply with ~~building codes adopted by department published~~**"

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~~code. (1) The department of commerce shall adopt the 1996 edition of the National Electrical Code, published by the national fire protection association, or, within 6 months of the publishing date, the most recent edition of the same code, as the basis for rules that are effective for All all installations in this state of wires and equipment to convey electric current and installations of apparatus to be operated by current, except as provided in 50-60-602, shall be made substantially in accord with building codes adopted by the department of commerce.~~

~~(2) Rules and standards relating to buildings and equipment shall be promulgated by the department."~~

Insert: **Section 4.** Section 50-60-702, MCA, is amended to read:

"50-60-702. Department to adopt inspection standards -- certification of inspectors. (1) The department shall adopt the Safety Code for Elevators and Escalators, A17.1-1996 edition and A17.1a-1997 addenda, published by the American society of mechanical engineers, or, within 6 months of the publishing date, the most recent edition of or addenda to the same code, as the basis for standards for passenger elevator and escalator inspections that ~~assure~~ ensure compliance with the requirements of the state building code.

(2) The department shall adopt rules for the certification of maintenance and insurance company inspectors who may inspect passenger elevators and escalators pursuant to 50-60-701."

Insert: **Section 5.** Section 50-74-101, MCA, is amended to read:

"50-74-101. Definition -- department to formulate rules. (1) As used in this chapter, the term "department" means the department of commerce.

(2) The department shall adopt the 1995 edition of the Boiler and Pressure Vessel Code, published by the American society of mechanical engineers, or, within 6 months of the publishing date, the most recent edition of the same code, as the basis for definitions and rules for the safe construction, installation, operation, inspection, and repair of equipment covered by this chapter. ~~The definitions and rules must follow generally accepted nationwide engineering standards as published by the American society of mechanical engineers."~~

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/8/1999

SB 4, introduced by Mahlum

SB 6, introduced by Hargrove

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 243, introduced by B. Lawson, referred to Judiciary.

HB 244, introduced by T. Facey, referred to State Administration.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 9, introduced by C. Tuss, B. DePratu, L. Grosfield, D. Mood, K. Ohs, E. Swanson, J. Tester, M. Waterman (by request of the Joint Select Committee on Jobs and Income), referred to Joint Select Committee on Jobs and Income.

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The following Senate bills were introduced, read first time, and referred to committees:

SB 4, introduced by D. Mahlum (by request of the Department of Commerce), referred to Business and Labor.

SB 6, introduced by D. Hargrove, referred to Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 30 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 94

Noes: None.

Total 0

Voted Absentee: Bookout-Reinicke, Galvin-Halcro, McGee, Ohs, Sliter, Taylor, Wagner, Ayes.

Excused: Buzzas, Menahan, Molnar.

Total 3

Absent or not voting: R. Clark, Shockley, Mr. Speaker.

Total 3

HB 57 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Gillan, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Mood, Noennig, Ohs, Orr, Pavlovich, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 78

Noes: Barnhart, Beck, P. Clark, Ewer, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Johnson, Mangan, Peck, Quilici, Ryan, Schmidt, Tuss, Wyatt.

Total 20

Voted Absentee: Bookout-Reinicke, Buzzas, McGee, Ohs, Sliter, Taylor, Wagner, Ayes; Galvin-Halcro, No.

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Excused: Menahan, Molnar.
Total 2

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HB 72**: Representatives C. Ahner, G. Beck, R. Bitney, R. Brown, R. Erickson, D. Ewer, T. Facey, S. Fisher, D. Fuchs, S. Gallus, K. Gillan, T. Hagener, R. Haines, H. Harper, D. Harrington, J. Hurdle, S. Kitzenberg, M. Lindeen, L. McCulloch, R. Menahan, D. Mood, M. Noennig, B. Pavlovich, J. Quilici, B. Raney, J. Rose, B. Simon, P. Sliter, C. Squires, J. Stovall, E. Swanson, B. Tash, J. Tropila, C. Tuss, C. Williams, D. Wyatt, and Senators S. Bartlett, T. Beck, A. Bishop, J. Bohlinger, C. Christiaens, V. Cocchiarella, B. Crippen, S. Doherty, A. Ellis, E. Franklin, M. Halligan, J. Harp, J. Hertel, J.D. Lynch, B. McCarthy, K. Mesaros, B. Stang, C. Swysgood, F. Thomas, M. Waterman, and B. Wilson.

The following cosponsors were added to **HB 188**: Representatives D. Mood, K. Ohs, B. Simon, E. Swanson, and Senators R. DePratu, L. Grosfield, M. Taylor, J. Tester, and M. Waterman.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:30 p.m., Monday, January 11, 1999. Motion carried.

House adjourned at 8:10 a.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
SEVENTH LEGISLATIVE DAY**

Helena, Montana
January 11, 1999

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Lieutenant Governor Judy Martz. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Harrington. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the first through fifth legislative days, find the same to be correct.

Rehbein, Chairman

COMMUNICATIONS AND PETITIONS

The following members were appointed by Speaker Mercer to the Legislative Council:

Representative Krenzler
Representative Menahan
Representative Ohs
Representative Sliter

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Simon, Chairman):

1/11/1999

HB 88, do pass. Report adopted.

HB 101, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/9/1999

SB 28, introduced by DePratu

SB 52, introduced by DePratu

SB 53, introduced by DePratu

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

HB 1, introduced by Zook

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 245, introduced by B. Simon, referred to Business and Labor.

HB 246, introduced by R. Peck, D. Harrington, C. Juneau, G. Roush, S. Stang, referred to Appropriations.

HB 247, introduced by D. Harrington, B. Barnhart, S. Bartlett, G. Beck, B. Eggers, K. Galvin-Halcro, H. Harper, J. Hurdle, C. Juneau, J. Lynch, B. McCarthy, L. McCulloch, B. Ryan, D. Shea, B. Simon, F. Smith, C. Tuss, C. Williams, B. Wilson, D. Wyatt, referred to Business and Labor.

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HB 248, introduced by D. Harrington, G. Beck, S. Gallus, K. Gillan, J. Lynch, B. McCarthy, B. Pavlovich, J. Quilici, D. Shea, B. Tash, J. Tropila, referred to Taxation.

HB 249, introduced by D. Harrington, S. Bartlett, G. Beck, R. Erickson, S. Gallus, M. Halligan, C. Juneau, J. Lynch, B. McCarthy, L. McCulloch, B. Pavlovich, J. Quilici, B. Ryan, D. Shea, C. Squires, J. Tropila, C. Williams, referred to Business and Labor.

HB 250, introduced by B. Rehbein, C. Hibbard, R. Lenhart, D. Mood, L. Nelson, G. Roush, referred to Business and Labor.

HB 251, introduced by R. Jore, referred to Judiciary.

HB 252, introduced by D. Mood, B. DePratu, L. Grosfield, K. Ohs, B. Simon, E. Swanson, M. Taylor, J. Tester, C. Tuss, M. Waterman, referred to Joint Select Committee on Jobs and Income.

HB 253, introduced by R. Jore, referred to Taxation.

HB 254, introduced by R. Somerville, referred to Agriculture.

HB 255, introduced by S. Anderson, referred to Judiciary.

The following Senate bills were introduced, read first time, and referred to committees:

SB 28, introduced by B. DePratu (by request of the Department of Revenue), referred to Taxation.

SB 52, introduced by B. DePratu (by request of the Department of Revenue), referred to Taxation.

SB 53, introduced by B. DePratu (by request of the Department of Revenue), referred to Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Sliter in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 32 - Representative Johnson moved **HB 32** do pass.

HB 32 - Representative Ewer expressed a conflict of interest and abstained from voting.

HB 32 - Representative Bergsagel moved **HB 32**, second reading copy, be amended as follows :

1. Title, line 8.

Strike: "ELIMINATING"

Insert: "REVISING"

2. Page 3, line 30.

Following: "architect"

Insert: "; (d) expend funds needed to cover costs of necessary repairs to property owned by the board as an investment upon compliance with 18-2-103(4)"

3. Page 5, line 26.

Following: "architect"

Insert: "; (d) expend funds needed to cover costs of necessary repairs to property owned by the board as an investment upon compliance with 18-2-103(4)"

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Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Harrington, Aye.

Excused: None.

Total 0

Absent or not voting: None

Total 0

Abstained: Ewer.

Total 1

HB 32 - Representative Johnson moved **HB 32**, as amended, do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Brainard, Golie, Grinde, Jore, McCann, Vick, Wyatt.

Total 7

Voted Absentee: Harrington, Aye.

Excused: None.

Total 0

Absent or not voting: Sliter.

Total 1

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Abstained: Ewer.
Total 1

HB 38 - Representative Peck moved **HB 38** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: Adams, Davies, Fuchs, Jore, Vick.
Total 5

Voted Absentee: Harrington, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 55 - Representative Peck moved **HB 55** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 82

Noes: Adams, P. Bergsagel, E. Bergsagel, Brainard, Brown, Curtiss, Davies, Fuchs, Grinde, Jore, Lawson, McGee, Molnar, Mood, Orr, Rehbein, Vick, Wagner.
Total 18

Voted Absentee: Harrington, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 73 - Representative Rose moved **HB 73** do pass.

HB 73 - Representative Rose moved **HB 73**, second reading copy, be amended as follows :

1. Title, page 1, line 13.

Following: "MCA;"

Insert: "PROVIDING FOR LICENSING AND PERMITTING BY THE DEPARTMENT OF REVENUE RATHER THAN THE DEPARTMENT OF ENVIRONMENTAL QUALITY OF UNDERGROUND STORAGE TANKS PURSUANT TO THE PROVISIONS OF TITLE 30, CHAPTER 16, MCA;"

2. Page 6, line 26.

Following: "Title 75,"

Strike: "CHAPTER 11"

Insert: "chapters 1 through 3, 5 through 7, 10, 15, 16, and 20"

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, P. Bergsagel, E. Bergsagel, Jore, McGee, Orr, Vick.

Total 7

Voted Absentee: Harrington, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 73 - Representative Rose moved **HB 73**, as amended, do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt,

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Younkin, Zook, Mr. Speaker.
Total 90

Noes: Adams, P. Bergsagel, E. Bergsagel, Brainard, Curtiss, Jore, McGee, Orr, Rehbein, Wagner.
Total 10

Voted Absentee: Harrington, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Sliter moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: Molnar, Rehbein.
Total 2

Excused: Harrington.
Total 1

Absent or not voting: E. Bergsagel.
Total 1

Abstained: Ewer.
Total 1

MOTIONS

Representative Grinde moved that Representative S. Bookout-Reinicke be removed from **HB 89** and Representative M. Guggenheim be added as the chief sponsor. Motion passed.

SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HB 111**: Representative L. Soft and Senator D. Grimes.

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The following cosponsors were added to **HB 244**: Senators D. Berry, M. Halligan, D. Mahlum, B. McCarthy, and F. Thomas.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:30 p.m., Tuesday, January 12, 1999. Motion carried.

House adjourned at 2:00 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
EIGHTH LEGISLATIVE DAY**

Helena, Montana
January 12, 1999

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative J. Andersen. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/12/1999
Correctly printed: **HB 27, HB 48, HB 63, HB 81, HB 88, HB 101.**
Correctly engrossed: **HB 32, HB 38, HB 55, HB 73.**

JUDICIARY (Clark, Chairman): 1/11/1999
HB 27, do pass. Report adopted.

HB 48, introduced bill, be amended as follows:

1. Page 17, line 9.

Insert: "NEW SECTION. Section 14. Codification instruction. The code commissioner shall codify all material enacted by the 56th legislature that amends material affected by [this act] to reflect the provisions of [this act] and shall make corresponding changes in style and arrangement to accommodate the codification."

And, as amended, do pass. Report adopted.

HB 81, introduced bill, be amended as follows:

1. Page 2, line 16.

Strike: " : "

Insert: ", except for a youth transferred to district court under and found guilty of an offense enumerated in 41-5-206(1),"

2. Page 2, line 17.

Strike: "(i)"

Strike: "or"

3. Page 2, line 18 through line 19.

Strike: line 18 through line 19 in their entirety

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman): 1/11/1999
HB 29, do pass. Report adopted.

TRANSPORTATION (Anderson, Chairman): 1/12/1999
HB 189, do pass. Report adopted.

MESSAGES FROM THE SENATE

HOUSE JOURNAL
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Senate bills passed and transmitted to the House for concurrence:

1/11/1999

SB 10, introduced by Mohl

SB 15, introduced by Cole

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 199, introduced by J. Cobb, referred to Taxation.

HB 256, introduced by J. Cobb, referred to State Administration.

HB 257, introduced by C. Younkin, A. Bishop, J. Cobb, D. Eck, D. Ewer, D. Grimes, G. Gutsche, D. Hargrove, H. Harper, J. Hurdle, S. Stang, B. Tash, referred to Judiciary.

HB 258, introduced by J. Cobb, referred to State Administration.

HB 259, introduced by R. Johnson, referred to Transportation.

HB 260, introduced by D. Mood, B. DePratu, L. Grosfield, K. Ohs, E. Swanson, referred to Joint Select Committee on Jobs and Income.

The following Senate bills were introduced, read first time, and referred to committees:

SB 10, introduced by A. Mohl (by request of the Department of Transportation), referred to Transportation.

SB 15, introduced by M. Cole (by request of the Department of Revenue), referred to Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Tropila in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 1 - Representative Zook moved **HB 1**, as amended, do pass.

HB 1 - Representative Zook moved that **HB 1** be moved to the bottom of the board. Motion carried.

HB 63 - Representative Simon moved **HB 63** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Dale, Davies, Dell, Fisher, Fuchs, Gillan, Golie, Grinde, Guggenheim, Hagener, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 75

Noes: Adams, Barnhart, Beck, Buzzas, P. Clark, Curtiss, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gutsche, Haines, Harper, Jackson, Jore, Lenhart, McCulloch, Rehbein, Ryan, Story, Swanson, Williams, Wyatt.

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Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 101 - Representative Bookout-Reinicke moved **HB 101** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: E. Bergsagel, Brainard, Curtiss, Harper, Jore, Orr, Rehbein.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 88 - Representative Peck moved **HB 88** do pass. Motion failed as follows:

Ayes: Barnett, Barnhart, Beck, Bookout-Reinicke, Buzzas, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Smith, Squires, Stovall, Swanson, Taylor, Trexler, Tropila, Tuss, Williams, Wyatt.

Total 47

Noes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, E. Bergsagel, Bitney, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Gillan, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Lawson, McGee, McKenney, Molnar, Mood, Noennig, Orr, Rehbein, Rose, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Story, Tash, Thomas, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 1 - Representative Zook moved **HB 1**, as amended, do pass .Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, R. Clark, Curtiss, Dale, Dell, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Masolo, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 67

Noes: Adams, Ahner, P. Bergsagel, Barnhart, E. Bergsagel, Brainard, P. Clark, Cobb, Davies, Eggers, Erickson, Ewer, Gillan, Gutsche, Harper, Hurdle, Jore, Kasten, Lawson, Lindeen, Mangan, Matthews, McCann, McCulloch, Orr, Raney, Rehbein, Sliter, Somerville, Squires, Tuss, Vick, Wagner.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Tropila moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Cobb, Ewer, Harper, Hurdle, Raney, Rehbein, Tuss.

Total 7

Excused: None.

Total 0

Absent or not voting: Curtiss, Golie, Younkin.

Total 3

MOTIONS

Representative Grinde moved that the rules be suspended to allow **HB 1** to be placed and considered on third reading

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this legislative day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 38 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Adams, Brainard, Fuchs, Jore, Vick.

Total 5

Excused: None.

Total 0

Absent or not voting: Pavlovich.

Total 1

HB 55 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 84

Noes: Adams, P. Bergsagel, E. Bergsagel, Brown, R. Clark, Curtiss, Fuchs, Grinde, Jore, Lawson, McGee, Molnar, Orr, Rehbein, Vick, Wagner.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 1 passed as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Buzzas, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Masolo, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 68

Noes: Adams, Ahner, P. Bergsagel, Barnhart, E. Bergsagel, Brainard, Brown, P. Clark, Cobb, Davies, Ewer, Gutsche, Harper, Hurdle, Jore, Kasten, Lawson, Lindeen, Mangan, Matthews, McCann, McCulloch, Molnar, Orr, Rehbein, Sliter, Somerville, Tuss, Vick, Wagner.

Total 30

Excused: None.

Total 0

Absent or not voting: E. Clark, Wyatt.

Total 2

SPECIAL ORDERS OF THE DAY

The following cosponsor was added to **HB 195**: Representative H. Harper.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:30 p.m., Wednesday, January 13, 1999. Motion carried.

House adjourned at 2:45 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
NINTH LEGISLATIVE DAY**

Helena, Montana
January 13, 1999

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative McGee. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives S. Fisher, H. Harper, W. Menahan, E. Swanson, and S. Vick. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixth, seventh, and eighth legislative days, find the same to be correct.

Rehbein, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/13/1999
Correctly printed: **HB 29, HB 189.**
Correctly engrossed: **HB 63, HB 101.**
Correctly enrolled: **HB 1.**
Examined by the sponsor and found to be correct: **HB 1.**

FISH, WILDLIFE AND PARKS (Wagner, Chairman): 1/13/1999
HB 93, do pass. Report adopted.

BUSINESS AND LABOR (Simon, Chairman): 1/12/1999
HB 109, introduced bill, be amended as follows:

1. Page 10, lines 17 and 18.
Following: "appropriated" on line 17
Insert: "for fiscal year 2001"
Following: "the" on line 17
Strike: the remainder of line 17 through "2001," on line 18
Insert: "general fund \$1.5 million and from the gambling state special revenue account \$563,500"

And, as amended, do pass. Report adopted.

HB 171, do pass. Report adopted.

HB 179, introduced bill, be amended as follows:

1. Title, line 7 and line 8.
Following: "OBLIGATIONS;" on line 7
Strike: the remainder of line 7 and line 8 in its entirety
2. Title, line 12.
Strike: "2-15-1704,"

3. Page 2, line 7 through line 18.

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Strike: section 2 in its entirety
Renumber: subsequent sections
And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Simon, Chairman): 1/13/1999
HB 196, do pass. Report adopted.
HB 201, do pass. Report adopted.

AGRICULTURE (Barnett, Chairman): 1/13/1999
HB 51, do pass. Report adopted.
HB 80, do pass. Report adopted.
HB 130, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/12/1999

SB 5, introduced by Tester
SB 14, introduced by Ellis
SB 17, introduced by Franklin
SB 26, introduced by Hargrove
SB 32, introduced by Grimes
SB 44, introduced by Ellis
SB 50, introduced by Swysgood
SB 51, introduced by Keating
SB 70, introduced by Stang

Senate joint resolution passed and transmitted to the House for concurrence: 1/12/1999

SJR 1, introduced by Harp

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 261, introduced by M. Noennig (by request of the Joint Select Committee on CI-75), referred to Judiciary.
HB 262, introduced by C. Trexler, referred to Local Government.
HB 263, introduced by D. Wyatt, C. Christiaens, referred to Judiciary.
HB 264, introduced by D. Wyatt, referred to Business and Labor.
HB 265, introduced by D. Wyatt, referred to Business and Labor.
HB 266, introduced by M. Guggenheim, referred to Human Services.
HB 267, introduced by B. Molnar, S. Kitzenberg, D. McGee, K. Miller, B. Raney, L. Soft, referred to Fish, Wildlife and Parks.
HB 268, introduced by B. Molnar, D. McGee, K. Miller, referred to State Administration.
HB 269, introduced by B. Molnar, D. Grimes, D. McGee, K. Miller, referred to Human Services.
HB 270, introduced by C. Trexler, referred to Natural Resources.
HB 271, introduced by B. Krenzler, K. Gillan, referred to State Administration.
HB 272, introduced by B. Krenzler, T. Dell, K. Gillan, J. Hurdle, referred to Taxation.

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HB 273, introduced by B. Raney, B. Barnhart, G. Beck, J. Bohlinger, C. Christiaens, J. Cobb, B. Crippen, S. Doherty, D. Ewer, S. Gallus, K. Galvin-Halcro, L. Grosfield, M. Guggenheim, J. Hurdle, R. Johnson, M. McCann, R. Peck, B. Simon, E. Swanson, C. Swysgood, C. Tuss, referred to Taxation.

HB 274, introduced by M. Hanson, referred to State Administration.

HB 275, introduced by B. Barnhart, J. Bohlinger, C. Christiaens, P. Clark, D. Eck, G. Golie, H. Harper, B. McCarthy, B. Raney, referred to Human Services.

HB 276, introduced by B. Barnhart, J. Bohlinger, C. Christiaens, D. Eck, K. Galvin-Halcro, G. Golie, H. Harper, B. McCarthy, B. Raney, B. Ryan, D. Wyatt, referred to Appropriations.

HB 277, introduced by B. Pavlovich, referred to Business and Labor.

The following Senate bills were introduced, read first time, and referred to committees:

SB 5, introduced by J. Tester (by request of the Public Employees' Retirement Board), referred to State Administration.

SB 14, introduced by A. Ellis (by request of the Department of Revenue), referred to Taxation.

SB 17, introduced by E. Franklin, referred to Appropriations.

SB 26, introduced by D. Hargrove (by request of the Department of Revenue), referred to Business and Labor.

SB 32, introduced by D. Grimes (by request of the Department of Corrections), referred to Judiciary.

SB 44, introduced by A. Ellis (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

SB 50, introduced by C. Swysgood (by request of the Legislative Finance Committee), referred to Appropriations.

SB 51, introduced by T. Keating (by request of the Department of Commerce), referred to Business and Labor.

SB 70, introduced by S. Stang (by request of the Joint Interim Subcommittee on Veterans' Needs), referred to State Administration.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 1, introduced by J. Harp (by request of the Joint Rules Committee), referred to Rules.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McGee in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 27 - Representative Noennig moved **HB 27** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

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Noes: Molnar.
Total 1

Voted Absentee: Fisher, Menahan, Swanson, Vick, Ayes.

Excused: Harper.
Total 1

Absent or not voting: Williams.
Total 1

Representative Sliter assumed the chair at this time.

HB 48 - Representative McGee moved **HB 48** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Fisher, Menahan, Swanson, Vick, Ayes.

Excused: Harper.
Total 1

Absent or not voting: S. Anderson, Eggers.
Total 2

Representative Harrington moved that **HB 81** be passed for the day. Motion carried.

Representative McGee reassumed the chair at this time.

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McGee moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee,

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McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Fisher, Harper, Menahan, Swanson, Vick.

Total 5

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 32 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Hurdle, Jore, Vick, Wyatt.

Total 4

Voted Absentee: Fisher, Menahan, Swanson, Ayes; Vick, No.

Excused: Harper.

Total 1

Absent or not voting: Ewer.

Total 1

HB 73 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs,

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Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, P. Bergsagel, E. Bergsagel, Brainard, Curtiss, Jore, Orr, Rehbein, Wagner.

Total 9

Voted Absentee: Fisher, Menahan, Swanson, Vick, Ayes.

Excused: Harper.

Total 1

Absent or not voting: None.

Total 0

HB 63 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, P. Bergsagel, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Dale, Davies, Dell, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Raney, Rose, Schmidt, Shockley, Simon, Sliter, Soft, Squires, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 69

Noes: Adams, Barnett, Barnhart, Buzzas, P. Clark, Curtiss, Eggers, Erickson, Ewer, Gallus, Guggenheim, Gutsche, Hagener, Harper, Harrington, Jackson, Johnson, Jore, Mangan, McCann, Menahan, Pavlovich, Peck, Quilici, Rehbein, Ryan, Smith, Somerville, Story, Swanson, Williams.

Total 31

Voted Absentee: Fisher, Vick, Ayes; Harper, Menahan, Swanson, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 101 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 94

Noes: E. Bergsagel, Jore, Orr, Rehbein.
Total 4

Voted Absentee: Fisher, Menahan, Vick, Ayes.

Excused: Harper, Swanson.
Total 2

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

Former Representative Dick Simpkins was recognized and thanked for his work on vote recording books that were distributed to the House members.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House recess until 6:45 p.m., Wednesday, January 13, 1999 for the joint session to receive Governor Racicot's State of the State Address. Motion carried.

House recessed at 2:00 p.m.

SPECIAL ORDERS OF THE DAY

House reconvened at 6:45 p.m. Mr. Speaker in the chair. Quorum present.

Representative Grinde moved that following the joint session, the House adjourn and reconvene at 1:00 p.m., Thursday, January 14, 1999. Motion carried.

Sergeant-at-Arms Meuli escorted the Senate into the House Chamber.

Speaker Mercer introduced President Crippen and yielded the chair to him.

Senator Harp moved that the body resolve itself into a joint session for the purpose of receiving the State of the State Address from the Honorable Marc Racicot, Governor of the State of Montana. Motion carried.

Senator Harp moved that President Crippen be authorized to appoint a committee of four to notify the Governor that the House was in joint session and ready to receive his State of the State Address. Motion carried.

President Crippen appointed Senators Crismore and Bartlett and Representatives Hanson and Quilici and discharged them to escort the Governor to the House Chamber.

Sergeants-at-Arms Meuli and Cramer escorted members of the Governor's official party into the House Chamber.

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1st Lieutenant Kevin Danz and members of the Montana National Guard posted the Colors.

Governor Marc Racicot was escorted to the rostrum by the escort committee.

President Crippen introduced Garrett Altenberg who led the Pledge of Allegiance to the Flag.

Father Thomas O'Donnell gave the Invocation.

After being presented to the members of both houses by President Crippen, Governor Racicot delivered the following address:

**GOVERNOR MARC RACICOT'S
STATE OF THE STATE ADDRESS
TO THE 56TH LEGISLATIVE ASSEMBLY
JANUARY 13, 1999 7:00 P.M.**

Thank you very much. President Crippen. Speaker Mercer. Members of the Fifty-Sixth Legislature. Fellow elected officers. Mr. Chief Justice and Honorable members of the Judiciary. Tribal leaders. Lieutenant Governor Martz. Friends and fellow Montanans, those of you here and those watching and listening across the state. Garrett and Abigail. And my family. Good evening.

Once again--and for the final time, I trust--I stand before you in this awe-inspiring chamber amid these humbling mountains with their vast, snow-covered forests and, sprawling beyond, hundreds of miles of productive plains peopled by the best neighbors on the planet, to discuss with you the state of our God-blessed state.

Such moments are always special times in our state's history when we as the servants of the people and the people we work for, sit down--or in my case stand up--to share formal thoughts, plans and, I hope, some dreams for this geographical space we share as home.

I am but the 20th person to give a State of the State Address in Montana since the first one more than a century ago. In those ensuing 5,300 weeks of history the hardworking people of Montana, assisted by their duly elected governments, have carved a respected place for themselves in the economy, the culture and the history of our grand nation.

I have done some traveling as the temporary steward of this office. And I can report that Montana's civility, decency, conscientiousness and neighborliness are known around the world, such that Montana has become more than a mere place. Montana is, indeed, seen as a way of life.

One of the most powerful and enduring legacies we as Montanans can leave at the end of our stay here is the preservation of that culture, that unique way of life, for one more day, one more week, one more year, one more lifetime.

This is an historic and, I would admit, a melancholy moment. It is the last time any of us will meet like this in this century and in this millenium. And due to the ultimate lifetime term limit, it is unlikely that any of of us will live to see another century change such as this.

For 38 members of the House and Senate, this is the first time in office here. We wish you welcome and the commonsense wisdom to make the tough judgments you will confront. For many more of us, however, this is the last session by choice or by term limits that we shall gather here together---in our current positions, anyway.

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To that end, I want to announce here tonight that I will NOT be a candidate in the Year 2000.... for the Montana Senate or House of Representatives.

I first met some of you in our collegiate days when we knew so much less and thought we knew so much more.

I recall a generation ago, as a young prosecutor, walking into a Judiciary Committee meeting here and seeing Senator Crippen for the first time. I was impressed then. And here he is presiding again--or still.

I recall the first time I heard the resonant tones of a legislator named J.D. Lynch from the state of Butte. I am pleased to see no need to debate him anywhere anytime.

I can also recall Representative Joe Quilici, who is my friend and, I believe, everybody's friend, as a member of the Appropriations Subcommittee on General Government. He tested my every request when I presented a very small agency budget as an Assistant Attorney General. And he sounded like my father when he said, "Mr. Racicot, I'm going to re-irritate this for you one more time."

And I recall when a young Representative John Mercer reported for his first session 14 years ago--somewhat quiet and cautious, but determined. And since that time he has served an unprecedented four terms as Speaker of the House.

It is a wondrous thing to me to pause here for a moment and ponder how, in our special state's democracy, so many different people were born and raised in so many diverse households, lived through an infinite number of varied experiences and lessons, and came together here, in the people's Capitol building at the same time, with the common goal of protecting Montana and making it even better.

I hope each one of us can keep that thought in the forefront of our minds in the coming days. We have shared much together here in this magnificent corner of God's good earth. Let us all--now and throughout this session--join again to share, not in the fickle fears of the present, but in the inspiring hopes of the future.

Montana was built by hardy men and women. They, too, no doubt, encountered worries and fears and disagreements as well as temptations to speak harshly. But they overcame them. And so must we. The future of our state--the future of our citizens like Garrett and Abigail here--depends on it.

Sadly, we can see daily in recent times in other places the turmoil that results from non-cooperation, from climbing over others merely to get ahead, from suspecting the worst of others, and from convenient misunderstandings. We may not be physically in the same spot a couple of thousand miles from this national turmoil. But we can feel the disquiet it creates in our hearts and stomachs, as the children in a family of feuding adults must feel even in another room.

It is not a good feeling. We sometimes sense its spread across the country like some malevolent social virus. Such conflict not only consumes energies that could be invested in constructive activities. It also decays the social trust that is the unwritten, unspoken glue of a functioning democracy.

Here in Montana we do not need to follow that same path in the direction of political Armageddon. Nowhere is this written. Indeed, Montanans could become the nation's pioneers again, showing the other world the power and achievements possible when a people share a humility, a respect for others and a stubborn sense of civility.

To be sure, this will take some resolve, some restraint, some grace, some courage and, frankly, some plain old biting-of-our-tongues when temptation suggests lashing out verbally to score some rhetorical points in the deafening

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chorus of conflict we see portrayed in each day's news. We as Montana's elected officials and representatives have a golden moment in this legislative session. It will not be repeated for those of us scheduled to depart. And it may never be repeated for others either.

We have come through some very difficult times in our state. When I first stood here before these bodies as Governor some 2,200 days ago, we faced--together--a projected General Fund deficit of \$200 million. That sum of money may seem like pocket change in national capitals. But as someone who once dug up worms and sold them to fishermen so I could earn a half-cent apiece, I have come to see \$200--let alone \$200 million--as quite a significant chunk of change.

Together, these bodies, our office--indeed, all of state and local government--addressed that emergency and numerous others. We stopped the bleeding. It was not easy for legislators, for the executive branch and agencies, and for individual Montanans impacted by these necessary decisions.

On that January night six years ago our Workers' Compensation system, quite honestly, teetered on the brink of insolvency, threatening the health care of many working Montanans, not to mention the fiscal reputation of the state and the financial viability of many employers providing work and income to many Montana families. Premiums increased almost quarterly and the problem struck many as unsolvable.

But, guess what? Working together, again, we fixed the fund's problems--eliminated the unfunded liabilities, the deficits and \$8 million in fraud. We put the State Fund on a businesslike basis, while providing enhanced care for workers. Premiums have been cut four years in a row now and just two weeks ago we saw the end of the special payroll tax, nearly a decade early. Soon, dividend checks will go out to businesses for the first time in a generation.

That is not all that we have fixed together. Our welfare system and its clients had become mired in decades of dependence based on habit, not positive results. Working together, again, we have set about fixing that system.

I can report to you this evening that since Montana's imaginative welfare reforms were approved by these legislative bodies with only two dissenting votes and since they began going into effect on Feb. 1, 1996, fully 19,283 Montanans--that's nineteen-thousand-two-hundred and eighty-three Montanans have left the state's welfare rolls to become productive independent citizens.

These nearly 20,000 people now earn a self-respect and private dignity. In their new role as working Montanans they have also earned in excess of \$101 million in wages. And they have saved Montana's taxpayers more than \$28.4 million in unpaid welfare benefits.

Of equal long-term importance, these reforms and former clients have also broken the cycle that sentenced future generations of taxpayers to futilely finance endless generations of unborn children in a legacy of despair and dependency.

Working together, Montanans have also improved our communities' schools, thousands of miles of neglected highway and bridges and our state's penal system, which was not fully prepared for the number of prisoners that our state's justice system was prepared to sentence to incarceration.

Working together, we have designed, approved and implemented likely the largest government reorganization in Montana history, eliminating two executive departments and rationalizing the operations of others to serve customers better.

Working together, we have helped to create the stable economic climate which in the past six years has seen the

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creation of more than 53,000 new non-ag jobs in our state.

Working together, we have set an example to be emulated across the country with our endowed philanthropy tax credit, the chartering of the Montana Consensus Council, and the creation of the Office of Community Service.

With the direction and dedication of Lieutenant Governor Judy Martz, that office staged one of the largest and most effective youth summits in the United States last June. Its impact continues with the spread of teenage mentoring in dozens of communities.

Working together, we have reformed parts of our antiquated tax system. Not enough. But some.

It continually amazes me that as a society we have adjusted our expectations--thanks to e-mail, faxes and microwaves--so that waiting a half-hour for a reply or a meal seems unacceptable. And yet, as a society, we continue to live and put up with--and pay into--a tax system that was designed when they were stringing telegraph wires across this region. This is not good enough for a new millenium, let alone 1999.

As you all well know, finding the political and fiscal formula to produce significant, broad change in this creaking system is very hard work in a state as vast and diverse as ours.

Our tax system is not unlike this building, which will close for at least a year of major refurbishing this spring after your deliberations are complete. Both the building and our tax system were built IN another time FOR another time.

We must completely fix both. We cannot let this opportunity escape us.

Builders back then could not envision faxes and air conditioning and computers linked instantly to governments and resources around the world. These walls and floors were not built to carry telephone lines, let alone fiber optic cables. Our tax system was not built for an information age of commerce conducted instantaneously over invisible lines.

We are still taxing business equipment as if that was the end product, rather than the beginning. We still tax that equipment right off the top whether its owner is making money or not. And we still tax that equipment as if all of the states around us, which are also competitors for new investments, have the same equipment tax. Which they do not.

We are still taxing homeowners according to the rising values of neighboring property that happens to sell to affluent buyers. We are still taxing inheritances as if farm and ranch property can always stay in the same family. Which it cannot. We are still taxing motor vehicles each year as if there was an annual sales tax, even though the car or pickup may never change hands.

In short, we have a decrepit tax system which causes too many Montanans to pay too much and too few visitors to pay too little.

Working together, we have made a start on tax reform in recent years and provided millions upon millions of dollars in tax relief of various kinds. We have helped homeowners and protected them from staggering increases. We have reduced the business equipment tax from nine percent to six.

We have driven efficiencies down through government. When our current system produced a budget surplus, we returned those funds to the people who earned them, the taxpayers. It just seemed the right thing to do.

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Americans, I learned long ago as a local and state prosecutor all over this state, will put up with a lot of things. But one thing they will never accept is unfairness. Unfairness offends our national sensitivities. You can hear it on playgrounds, in sports, government and in jury rooms. Unfairness is, well, unfair.

Quite frankly, ladies and gentlemen, our state's tax system is unfair. It must be changed.

Our homeowners and vehicle owners and landowners must be freed from the unfair burdens that have, over the years, been heaped on their financial shoulders.

Our businesses--present and hopefully future--must be freed from the burden of paying taxes on equipment regardless of profit and regardless, for that matter, of whether the equipment has ever been turned on.

Our current tax system reminds me of my father's comment. He was a teacher and basketball coach. And he used to say, "Marc, you are not big....But you are slow."....

I do not intend tonight to provide a lengthy litany of detailed legislative proposals. You already have before you that agenda and the detailed proposals we have developed over many months.

Clearly, we have designed a large and ambitious portfolio of initiatives, including the children's health insurance plan, the continuing, though thankfully diminished requirements of our corrections system, and the essential investment in our world-class education system.

I do want to mention, however, the Jobs for Montana's Graduates program, which has proven so very successful and cost-effective in combating and preventing the high school dropout problem. Currently, the Jobs for America's Graduates program exists in 27 states and 800 schools, including 18 in Montana. We seek enhanced funding to boost that total to 50 as a sign of our continuing commitment to preventing societal problems.

This is, indeed, a special moment of opportunity in our state's history when our stable society and finances, combined with an experienced body of willing legislators and executives, and an almost palpable public demand for change, can build for once a lasting legacy that will positively shape the future of Montana for generations to come.

If we have the will and the vision.

Our current tax reform proposal, one of many I hope will be thoroughly discussed in coming days, calls for numerous tax relief measures. The end of the motor vehicle tax. The end of the business equipment tax. The end of inheritance taxes. The end of livestock inventory taxes. Significant reductions in homeowner property taxes.

Having just paid \$727 for a license plate on a used vehicle, I, like most Montanans, would be happy to see that system changed. Nobody favors taxes, except those paid by others. Providing this massive tax relief requires some form of replacement revenue.

Our proposal is for a value-added tax that combines ease and inexpensive administration with the fairness and elements of choice in a consumption tax. I am pleased at the early start and the early work which legislators have invested in tax reform issues this session.

We recognize there are other avenues to achieve significant tax reform. We have never claimed a patent on good ideas. The goal of balance and fairness is what's important. We fully intend to work honestly, openly and earnestly with members to design a new revenue system that is efficient, effective, and fair.

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Montanans deserve no less. And I suspect they will accept no less either.

Some people have suggested that major statewide tax reforms are impossible to find in Helena. I believe that's also what they told those gold miners just down the street here who stuck around Last Chance Gulch for one last try. And that continued effort resulted in the modern city where we meet tonight.

I can tell you, in the interests of open and honest government, that we intend to continue our dedication to driving this tax reform issue for the next 103 weeks up through the very last minute we are in this office. It is, quite simply, our duty to design, finally, a system that is fair for all Montanans.

We also intend to drive energetically our Jobs and Income proposals for economic development. Montana and its people over the decades have often been the unwitting victims of decisions made in other places. Now, we want to begin the long process of changing that, of seizing control of our economic destiny and shaping our own futures.

We believe Montanans can apply our imaginations, our limited financial resources and our sweat to design, over time, a more vibrant state economy more full of choices, opportunities and rewards for its citizens, today's and tomorrow's.

I want to talk for just a few minutes about each one of the 47 economic development proposals in our package....Just kidding. These proposals range from aggressive efforts to boost our foreign trade capabilities and successes by, for instance, opening a trade office in Canada, to diversifying our crops.

If producing record amounts of one crop to add to a world surplus does not boost farm family income, then, chances are, producing even more of that same crop will not change things much either.

We know government does not create jobs. Indeed, many of our reforms have been designed to get government out of the way of job-creating entrepreneurs. Each one of these economic development proposals is designed to benefit all Montana and Montanans by helping to raise the economic water level for everyone.

My point is: This session is truly a time of great promise. We have a once-in-a-lifetime opportunity between now and late April.

We can, as some confidently predicted in recent days, descend into the rancor, pointless competition and divisiveness of less gracious places where the once unthinkable has become the unthinking commonplace. And we will surely be remembered for that in infamy.

Or we can in this final legislative session of the millenium--and for many, of our public service careers--rise above such mundane temptations to achieve great and lasting things, not only in WHAT we do here in this building....but in HOW we do them.

We can achieve all this together if we are, above all, true to our hearts and our families and our neighbors.... and if we examine first our own motives before critiquing those of others. If we grant to others the same benefit of the doubt we seek ourselves.

For that grace, I predict we shall be remembered as well. Let us all, each of us, quietly, in the privacy of our own conscience, choose to walk that more favored road that spawns a hopeful future. And let us, each and every one, walk down that road together. As, clearly, we have done so often in the best-remembered times of the past.

My father, God rest his soul, may have been wrong at times in his life. But he was never in doubt. He did not live

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long enough to see his son in this job, which is simultaneously a matter of regret and a remembrance of how special our time together is.

I remember when his team, the Libby Loggers, traveled all the way to Butte, America to play for the state basketball championship 33 years ago this winter. At the time Butte was about as far south as I had ever been. We were as nervous as you would expect a band of 16- and 17-year-old country boys to be, playing in front of significantly more people than lived in our entire hometown.

Dad told us two things in the locker room that night. During games he always chewed a full pack of Juicy Fruit at the same time. But we had no trouble understanding him. He said, "First, men, have fun tonight. You've earned it."

Then he paused. And he told us how important it was to play together as a team, to give everything we had to give to the team effort as individuals coming together for a larger good than the glory of one.

We had heard that before. But it was only after the game, after Libby had won the first of what I trust will someday become a long string of state championships, that I fully realized what my father had been saying; that together, that night, under the guidance of a coach packing a huge wad of chewing gum, that band of disparate boys from a variety of backgrounds and homes had joined as one team with a common goal.

And despite all of the temptations, distractions, differences and disputes, we achieved something magical and lifelong so special together that we could never have dreamed of individually.

Tonight, I look out here at so many familiar faces and the countless friends beyond these walls, and I feel a great sense of pleasure and warmth and satisfaction at having worked together with so many of you on so many issues for so many years. We have each come along our own path individually to this same place.

Let us each in our own careful and respectful way in coming weeks contribute everything we have to the team effort for Montana. So that someday we and others can look back with pride, and know that, despite all of the temptations, distractions, differences and disputes, we accomplished something great and good here together in 1999 that we could never have dreamed of individually.

What an example and a political inheritance that would be to leave our friends, our state and our nation!

Thank you. God bless. And goodnight.

President Crippen introduced Abigail Hood who led the body in the National Anthem.

Pastor Keith Johnson gave the Benediction, and Governor Racicot was escorted from the House Chamber by the escort committee.

Sergeants-at-Arms Meuli and Cramer escorted the distinguished guests from the House Chamber.

Senator Harp moved the joint session be adjourned. Motion carried.

Members of the Senate retired from the House Chamber.

House adjourned at 7:40 p.m.

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MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
TENTH LEGISLATIVE DAY**

Helena, Montana
January 14, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Speaker Pro Tempore D. Mood in the Chair. Invocation by Representative Hagener. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Guggenheim and Simon. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/14/1999
Correctly printed: **HB 51, HB 65, HB 76, HB 80, HB 94, HB 109, HB 130, HB 171, HB 179, HB 196, HB 201, HR 1**

Correctly engrossed: **HB 27, HB 48.**

Signed by the Speaker at 4:30 p.m., January 13, 1999: **HB 1.**

Delivered to the Governor for his approval at 12:35 p.m., January 14, 1999: **HB 1.**

HUMAN SERVICES (Soft, Chairman): 1/14/1999
HB 44, do pass. Report adopted.

JUDICIARY (Clark, Chairman): 1/13/1999
HB 65, do pass. Report adopted.
HB 76, do pass. Report adopted.
HB 94, do pass. Report adopted.

RULES (Grinde, Chairman): 1/13/1999
HR 1, introduced resolution, be amended as follows:

1. Page 2, line 2.

Following: ". "

Insert: "The Speaker may appoint an additional at-large member to the Rules Committee from either party."

2. Page 5, line 24.

Strike: "as" through "Chairman"

3. Page 7, lines 22 and 23.

Following: "proceed" on line 22

Strike: remainder of line 22 through "appropriate" on line 23

4. Page 7, line 24.

Following: line 23

Insert: "(4) If a member is called to order, the matter may be referred to the Rules Committee by the minority or majority leader. The Committee may recommend to the House that the member be censured or be subject to other action. The House shall act upon the recommendation of the Committee."

5. Page 8, line 24.

Strike: "are" through "they"

6. Page 9, line 10.

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Strike: "or"

Insert: "of"

7. Page 11, line 12.

Strike: the third "of"

Insert: "or"

8. Page 26, line 13 through line 14.

Strike: "and decisions" on line 13

Following: "to" on line 13

Strike: "the" through "and" on line 14

9. Page 26, line 24.

Following: "~~and~~"

Insert: "and"

10. Page 26, line 25 through line 27.

Strike: line 25 through line 27 in their entirety

Renumber: subsequent subsection

11. Page 29, line 13.

Strike: "shall"

Insert: "may consider and"

And, as amended, be adopted. Report adopted.

EDUCATION (Masolo, Chairman):

1/14/1999

HB 45, do pass. Report adopted.

HB 71, introduced bill, be amended as follows:

1. Page 3, line 19.

Strike: "budget authority"

Insert: "levy"

2. Page 3, line 20.

Following: "~~impose~~"

Insert: "to impose"

Strike: "tax" through "impose"

Insert: "definition of tax increase"

3. Page 3, lines 20 and 21.

Strike: "The" on line 20 through "(a)" on line 21

4. Page 3, line 23 through line 27.

Strike: "an" on line 23 through "(2)" on line 27

Renumber: subsequent subsections

5. Page 3, line 27.

Strike: "voted amount"

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Following: "financing"
Insert: "tax increase"

6. Page 3, line 28.
Strike: "adopt the"

7. Page 3, lines 28 and 29.
Strike: "voted" on line 28 through "of" on line 29
Insert: "authorize the tax increase for the"

8. Page 3, line 29.
Strike: "budget authority"

9. Page 3, line 30.
Strike: "upon"
Insert: "on"
Following: "proposition"
Insert: "at the tax election"

10. Page 3, line 30 through page 4, line 3.
Strike: "The" on line 30 through "expended." on line 3

11. Page 4, line 6 through line 9.
Strike: "district" on line 6 through "made)" on line 9
Insert: "general fund levy tax be increased annually by (state the number of mills) in the following manner"

12. Page 4, line 10.
Strike: "budget authority"
Following: "levy"
Insert: "increasing the district levy by (state the number of mills) to support the district's general fund budget"

13. Page 4, line 11.
Strike: "budget authority"
Following: "levy"
Insert: "increasing the district levy by (state the number of mills) to support the district's general fund budget"

14. Page 4, line 12.
Strike: "budget authority"
Insert: "levy"

15. Page 4, line 14.
Following: "trustees"
Insert: "may use any portion or all of the authorized amount in adopting the final general fund budget. The trustees"

16. Page 4, line 15.
Strike: "the budget authority"
Insert: "any additional levy amount"

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Strike: "special"

17. Page 4, lines 16 and 17.

Strike: "submit" on line 16 through "on" on line 17

Insert: "levy"

18. Page 4, line 19 through line 28.

Strike: "The" on line 19 through "year." on line 28

Renumber: subsequent subsection

19. Page 5, line 1 through line 5.

Strike: "If" on line 1 through "(4)" on line 5

Insert: "As used in this section, "tax increase" has the meaning provided in Article VIII, section 17, of the Montana constitution"

And, as amended, do pass. Report adopted.

TAXATION (Hibbard, Chairman):

1/14/1999

HB 82, introduced bill, be amended as follows:

1. Page 4, line 26.

Strike: "filed"

Insert: "the"

And, as amended, do pass. Report adopted.

HB 138, do pass. Report adopted.

HB 139, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/13/1999

SB 9, introduced by McNutt

SB 29, introduced by Hertel

SB 120, introduced by Bartlett

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 278, introduced by J. Hurdle, R. Buzzas, C. Christiaens, D. Eck, S. Gallus, H. Harper, R. Peck, J. Tropila (by request of the House Agriculture Standing Committee), referred to Judiciary.

HB 279, introduced by J. Hurdle, R. Buzzas, C. Christiaens, D. Eck, D. Ewer, S. Gallus, R. Peck, referred to Judiciary.

HB 280, introduced by J. Tropila, C. Tuss, referred to State Administration.

HB 281, introduced by R. Johnson, referred to Business and Labor.

HB 282, introduced by R. Johnson, referred to Business and Labor.

HB 283, introduced by C. Younkin, referred to Judiciary.

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HB 284, introduced by B. Story, M. Cole, L. Grosfield, G. Jergeson, M. McCann, L. Nelson, K. Ohs, S. Rose, B. Tash, J. Tester, referred to Agriculture.

HB 285, introduced by R. Jore, referred to Fish, Wildlife and Parks.

HB 286, introduced by S. Anderson, C. Ahner, S. Bartlett, T. Beck, E. Bergsagel, R. Clark, M. Cole, B. Crippen, B. DePratu, A. Ellis, L. Grinde, M. Hanson, J. Harp, D. Harrington, D. Hedges, C. Hibbard, B. Kasten, J. Lynch, D. Mahlum, J. Mercer, K. Ohs, J. Quilici, B. Rehbein, S. Rose, G. Roush, P. Sliter, R. Somerville, S. Stang, B. Story, C. Swysgood, B. Tash, J. Tester, F. Thomas, B. Wilson, C. Younkin, T. Zook, referred to Taxation.

HB 287, introduced by S. Anderson, S. Bartlett, E. Bergsagel, L. Grinde, D. Mahlum, K. Ohs, S. Rose, S. Stang, referred to Taxation.

HB 288, introduced by D. Wagner, referred to Local Government.

HB 289, introduced by D. Wagner, referred to Local Government.

The following Senate bills were introduced, read first time, and referred to committees:

SB 9, introduced by W. McNutt (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

SB 29, introduced by J. Hertel (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

SB 120, introduced by S. Bartlett (by request of the Department of Administration), referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Harrington in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 81 - Representative Menahan moved **HB 81** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Buzzas, Eggers, Ewer, Hurdle, Tuss, Wyatt.

Total 6

Voted Absentee: Guggenheim, Aye.

Excused: Simon.

Total 1

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Absent or not voting: Dell.
Total 1

HB 29 - Representative Ohs moved **HB 29** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 88

Noes: Adams, P. Bergsagel, E. Bergsagel, Brainard, Cobb, Davies, Jore, Kasten, Vick, Walters.
Total 10

Voted Absentee: Guggenheim, Aye.

Excused: Simon.
Total 1

Absent or not voting: Dell.
Total 1

HB 93 - Representative Pavlovich moved **HB 93** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: P. Bergsagel, E. Bergsagel.
Total 2

Voted Absentee: Guggenheim, Aye.

Excused: Simon.
Total 1

Absent or not voting: Dell, Eggers.
Total 2

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HB 171 - Representative Matthews moved **HB 171** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: P. Bergsagel, E. Bergsagel, Grinde, Jore, McGee, Molnar, Orr, Rehbein, Sliter, Story, Vick, Wagner.

Total 12

Voted Absentee: Guggenheim, Aye.

Excused: Simon.

Total 1

Absent or not voting: Dell.

Total 1

HB 189 - Representative Barnett moved **HB 189** do pass. Motion carried as follows:

s, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: E. Bergsagel.

Total 1

Voted Absentee: Guggenheim, Aye.

Excused: Simon.

Total 1

Absent or not voting: Dell, Menahan.

Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Harrington moved the Committee of the Whole report be adopted. Report adopted as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Rehbein.

Total 1

Excused: Guggenheim, Simon.

Total 2

Absent or not voting: Dell.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 27 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: McGee.

Total 1

Voted Absentee: Guggenheim, Aye.

Excused: Simon.

Total 1

Absent or not voting: Mood.

Total 1

HB 48 passed as follows:

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Ayes: Adams, Ahner, J. Andersen, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Guggenheim, Aye.

Excused: Simon.

Total 1

Absent or not voting: S. Anderson, Bitney.

Total 2

SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HB 149**: Representatives D. Adams, J. Andersen, C. Ahner, P. Bergsagel, R. Clark, R. Dale, D. Fuchs, L. Grinde, R. Haines, D. Hedges, V. Jackson, R. Lenhart, B. Molnar, K. Ohs, B. Rehbein, J. Shockley, P. Sliter, R. Story, B. Thomas, A. Walters, C. Younkin.

The following cosponsor was added to **HB 266**: Representative W. Menahan.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Friday, January 15, 1999. Motion carried.

House adjourned at 1:30 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker Pro Tempore of the House

**HOUSE JOURNAL
ELEVENTH LEGISLATIVE DAY**

Helena, Montana
January 15, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Tropila. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Hanson and Simon. Quorum present.

Mr. Speaker introduced the pages of the week:

Katie Devlin, Polson
Sarah Erickson, Roundup
Marisa Hanson, Kremlin
Jennifer Heberling, Dillon
Lauren Nalone, Havre
Robert Tooke, Miles City
Tiffany Wilm, Fromberg

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/15/1999
Correctly printed: **HB 44, HB 45, HB 71, HB 82, HB 138, HB 139.**
Correctly engrossed: **HB 29, HB 81, HB 93, HB 171.**

LOCAL GOVERNMENT (Ahner, Chairman): 1/15/1999
HB 99, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Strike: "EITHER" through "YEAR"

Insert: "AT THE TIME THAT THE ANNUAL TAX LEVY IS CERTIFIED TO THE COUNTY CLERK"

2. Page 1, line 21.

Strike: "by August 15"

Insert: "within 30 days of the notice"

3. Page 1, line 27.

Following: "(3)(b),"

Strike: "on" through "September 1"

Insert: "at the time that the annual tax levy is certified to the county clerk"

And, as amended, do pass. Report adopted.

HB 210, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/14/1999

SB 23, introduced by Thomas

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SB 30, introduced by Hargrove
SB 62, introduced by Keenan
SB 141, introduced by Cole
SB 147, introduced by Hertel

Senate joint resolution passed and transmitted to the House for concurrence:

1/14/1999

SJR 2, introduced by Bartlett

MESSAGES FROM THE GOVERNOR

January 14, 1999

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed **House Bill 1** sponsored by Representative Zook on January 14, 1999.

Sincerely,

MARC RACICOT
Governor

MOTIONS

Representative Grinde moved that the rules be suspended to allow for a late bill draft request, LC 0222, by Senator Stang. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 290, introduced by C. Trexler, referred to Transportation.
HB 291, introduced by H. Harper, R. Clark, J. Hertel, B. Tash, B. Thomas, referred to Fish, Wildlife and Parks.
HB 292, introduced by J. Mangan, T. Dell, B. Wilson, referred to Judiciary.
HB 293, introduced by J. Mangan, T. Dell, B. Wilson, referred to Judiciary.
HB 294, introduced by B. Lawson, referred to Business and Labor.
HB 295, introduced by J. Barnett, D. Hargrove, R. Jabs, J. Tropila, referred to Judiciary.
HB 296, introduced by J. Shockley, referred to Local Government.
HB 297, introduced by D. Fuchs, B. Raney, C. Trexler, referred to Business and Labor.
HB 298, introduced by D. Fuchs, D. Adams, R. Dale, L. Grinde, D. Hedges, T. Keating, J. Mercer, K. Ohs, S. Orr, P. Sliter, B. Story, referred to Natural Resources.
HB 299, introduced by B. Barnhart, referred to Transportation.
HB 300, introduced by K. Ohs, referred to Natural Resources.

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HB 301, introduced by M. McCann, J. Hertel, B. Lawson, R. Peck, B. Rehbein, S. Stang, B. Story, J. Tester, F. Thomas, D. Toews, referred to Education.

HB 302, introduced by B. Krenzler, referred to Business and Labor.

HB 303, introduced by B. Krenzler, referred to Appropriations.

HB 304, introduced by M. Noennig, S. Anderson, M. Cole, B. DePratu, S. Doherty, A. Ellis, K. Gillan, B. Lawson, D. Mahlum, G. Masolo, L. McCulloch, referred to Education.

The following Senate bills were introduced, read first time, and referred to committees:

SB 23, introduced by F. Thomas (by request of the State Compensation Insurance Fund), referred to Appropriations.

SB 30, introduced by D. Hargrove (by request of the Department of Public Health and Human Services), referred to Human Services.

SB 62, introduced by B. Keenan (by request of the Department of Public Health and Human Services), referred to Human Services.

SB 141, introduced by M. Cole (by request of the Department of Agriculture), referred to Agriculture.

SB 147, introduced by J. Hertel (by request of the Department of Agriculture), referred to Agriculture.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 2, introduced by S. Bartlett (by request of the Committee on Public Employee Retirement Systems), referred to Education.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Fuchs in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 80 - Representative Cobb moved **HB 80** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Brainard, Kitzenberg, Lawson, Somerville, Wagner.

Total 5

Voted Absentee: Hanson, Aye.

Excused: Simon.

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Total 1

Absent or not voting: None.

Total 0

HB 130 - Representative Story moved **HB 130** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Adams, P. Bergsagel, Jore.

Total 3

Voted Absentee: Hanson, Aye.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

HB 179 - Representative Sliter moved **HB 179** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnhart, E. Bergsagel, Bitney, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Noennig, Ohs, Peck, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 76

Noes: Adams, Barnett, Beck, Bookout-Reinicke, Brainard, Curtiss, Davies, Gallus, Golie, Harrington, Hurdle, Jore, McCulloch, McGee, Menahan, Molnar, Orr, Pavlovich, Quilici, Rehbein, Squires, Vick, Wagner.

Total 23

Voted Absentee: Hanson, Aye.

Excused: Simon.

Total 1

Absent or not voting: None.

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Total 0

HB 109 - Representative Mercer moved **HB 109** do pass.

HB 109 - Representative Mercer moved **HB 109**, second reading copy, be amended as follows :

1. Title, line 14.

Strike: "PROVIDING AN APPROPRIATION;"

2. Page 10, line 17 through line 21.

Strike: section 8 in its entirety

Renumber: subsequent sections

3. Page 10, line 27.

Following: "7"

Strike: "through 9, and 11"

Insert: ", 8, and 10"

Amendment passed as follows:

Ayes: Ahner, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Hagener, Harrington, Hedges, Hibbard, Holden, Jackson, Juneau, Kasten, Kitzenberg, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Ryan, Sliter, Smith, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 66

Noes: Adams, J. Andersen, P. Bergsagel, Barnhart, Brown, Buzzas, Davies, Eggers, Erickson, Ewer, Galvin-Halcro, Guggenheim, Gutsche, Haines, Harper, Hurdle, Johnson, Jore, Krenzler, Lenhart, Molnar, Noennig, Peck, Rose, Schmidt, Shockley, Soft, Story, Trexler, Vick, Williams, Wyatt.

Total 32

Excused: Hanson, Simon.

Total 2

Absent or not voting: None.

Total 0

HB 109 - Representative Johnson moved **HB 109**, second reading copy, be further amended as follows :

1. Title, page 1, line 12.

Following: "SYSTEM;"

Insert: "INCREASING THE MACHINE GROSS INCOME TAX;"

2. Page 5, line 14.

Page 7, line 15.

Strike: "15%"

Insert: "18%"

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3. Page 9, line 15 through line 17.

Strike: subsection (d) in its entirety

Renumber: subsequent subsections

Amendment failed as follows:

Ayes: J. Andersen, P. Bergsagel, Barnhart, Brown, Buzzas, P. Clark, Cobb, Eggers, Erickson, Ewer, Facey, Guggenheim, Gutsche, Haines, Harper, Holden, Hurdle, Johnson, McCann, Peck, Soft, Swanson, Thomas.

Total 23

Noes: Adams, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Hagener, Harrington, Hedges, Hibbard, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 74

Excused: Hanson, Simon.

Total 2

Absent or not voting: Ahner.

Total 1

HB 109 - Representative P. Bergsagel moved **HB 109**, second reading copy, be further amended as follows :

1. Page 9, line 15 through line 17.

Strike: subsection (d) in its entirety

Renumber: subsequent subsections

Amendment failed as follows:

Ayes: Adams, Ahner, J. Andersen, P. Bergsagel, Barnett, Barnhart, Beck, Brainard, Brown, Buzzas, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Gillan, Golie, Guggenheim, Gutsche, Haines, Harper, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Lenhart, McCann, McGee, Molnar, Noennig, Orr, Peck, Raney, Schmidt, Soft, Swanson, Thomas, Vick, Wagner, Walters.

Total 47

Noes: S. Anderson, E. Bergsagel, Bitney, Bookout-Reinicke, E. Clark, R. Clark, Fisher, Fuchs, Gallus, Galvin-Halcro, Grinde, Hagener, Harrington, Hedges, Hibbard, Juneau, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Ohs, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shockley, Sliter, Smith, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 51

Excused: Hanson, Simon.

Total 2

Absent or not voting: None.

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Total 0

HB 109 - Representative Mercer moved **HB 109**, as amended, do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, R. Clark, Cobb, Dale, Dell, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 76

Noes: Adams, P. Bergsagel, Barnhart, Brainard, Buzzas, P. Clark, Curtiss, Davies, Eggers, Ewer, Harper, Hurdle, Johnson, Jore, Kasten, McCann, McGee, Molnar, Orr, Peck, Soft, Swanson, Vick, Wagner.

Total 24

Voted Absentee: Hanson, Simon, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 51 - Representative Harper moved **HB 51** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: E. Bergsagel, Jore, Mood, Orr.

Total 4

Voted Absentee: Hanson, Aye.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed.

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Mr. Speaker in the chair. Chairman Fuchs moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: P. Bergsagel, Ewer, Jore, Peck, Rehbein.

Total 5

Excused: Hanson, Simon.

Total 2

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 81 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Erickson, Galvin-Halcro, Hurdle, Tuss, Wyatt.

Total 5

Voted Absentee: Hanson, Aye.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

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HB 29 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: Adams, P. Bergsagel, E. Bergsagel, Brainard, Cobb, Davies, Jore, Kasten, Peck, Vick.

Total 10

Voted Absentee: Hanson, Simon, Ayes.

Excused: None.

Total 0

Absent or not voting: Trexler.

Total 1

HB 93 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: P. Bergsagel, E. Bergsagel, Jore, Kasten, Rehbein.

Total 5

Voted Absentee: Hanson, Aye.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

HB 171 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard,

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Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: P. Bergsagel, E. Bergsagel, Jore, Kasten, McGee, Molnar, Orr, Rehbein, Story, Vick, Wagner.

Total 11

Voted Absentee: Hanson, Aye.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

HB 189 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Hanson, Aye.

Excused: Simon.

Total 1

Absent or not voting: Fuchs.

Total 1

SPECIAL ORDERS OF THE DAY

The following cosponsors have been added to **HB 71**: Representatives J. Andersen, Facey, Kitzenberg, and McCulloch.

The following cosponsors were added to **HB 117**: Representatives Harper, Peck, Quilici, Tash, and Senators

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Grosfield, Halligan, Jergeson, Mesaros, and Swysgood.

The following cosponsors have been added to **HB 128**: Representatives S. Anderson, Harrington, Story, and Senators DePratu, Devlin, Halligan, and Nelson.

The following cosponsors were added to **HB 135**: Representatives Barnett, G. Beck, Bitney, Bookout-Reinicke, Buzzas, P. Clark, R. Clark, Curtiss, Dell, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Haines, Harper, Harrington, Holden, Juneau, Krenzler, Lindeen, Masolo, McCulloch, McGee, Mercer, Mood, Peck, Quilici, Schmidt, Shockley, Simon, Sliter, Soft, Swanson, Tash, Tropila, Williams, Younkin, Zook, and Senators Bartlett, Crippen, DePratu, Doherty, Grimes, Grosfield, Halligan, Hargrove, Harp, Jabs, Jergeson, Lynch, Mahlum, Mohl, Shea, Stang, and Wilson.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 8:30 a.m., Saturday, January 16, 1999. Motion carried.

House adjourned at 2:55 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
TWELFTH LEGISLATIVE DAY**

Helena, Montana
January 16, 1999

House Chambers
State Capitol

House convened at 8:30 p.m. Mr. Speaker in the Chair. Invocation by Representative P. Clark. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Anderson, Bitney, Brainard, Curtiss, Dell, Hanson, Hurdle, Krenzler, Rehbein, Simon, Wagner, Witt, and Wyatt. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/16/1999
Correctly printed: **HB 99, HB 210, HB 215.**
Correctly engrossed: **HB 51, HB 80, HB 109, HB 130, HB 179.**

FISH, WILDLIFE AND PARKS (Wagner, Chairman): 1/15/1999
HB 215, introduced bill, be amended as follows:

1. Page 1, line 10.

Following: "mechanism"

Insert: ", as defined by commission rule, that is"

And, as amended, do pass. Report adopted.

HUMAN SERVICES (Soft, Chairman): 1/15/1999
HB 52, do pass. Report adopted.
HB 190, do pass. Report adopted.

HUMAN SERVICES (Soft, Chairman): 1/16/1999
HB 170, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: "FINANCIAL"

Insert: "AND MEDICAL"

2. Page 1, line 25.

Following: "financial"

Insert: "or medical"

Following: "need"

Insert: ", or both,"

And, as amended, do pass. Report adopted.

JUDICIARY (Clark, Chairman): 1/15/1999
HB 116, introduced bill, be amended as follows:

1. Title, line 8.

Following: "PROGRAM"

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Insert: "OR A STATE-APPROVED PUBLIC OR PRIVATE TREATMENT FACILITY"

Following: "TREATMENT"

Insert: ", FOLLOWED BY PLACEMENT IN A PRERELEASE CENTER"

2. Page 2, line 29.

Following: "program"

Insert: "or a state-approved public or private treatment facility"

3. Page 2, line 30.

Following: "treatment"

Insert: ", followed by placement in a prerelease center. The combined period of time in treatment and prerelease must be at least 6 months"

4. Page 3, line 1.

Following: the first "program"

Insert: "or treatment facility"

Following: "If"

Insert: ", after a hearing as provided for in 46-18-203, the court finds that"

Strike: "fails"

Insert: "failed"

Following: "complete"

Insert: "treatment in"

Following: the second "program"

Insert: "or treatment facility or placement in the prerelease center"

5. Page 3, line 2.

Strike: ", after a hearing as provided for in 46-18-203,"

And, as amended, do pass. Report adopted.

HB 135, do pass. Report adopted.

HB 180, introduced bill, be amended as follows:

1. Page 7, line 1.

Strike: "and"

2. Page 7, line 4.

Following: "proceedings"

Insert: "; and"

(j) the department gave the child's parent or parents written notice of any hearings held under this part

3. Page 9, line 21.

Strike: "negotiated"

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

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JOINT SELECT COMMITTEE ON JOBS AND INCOME (DePratu, Chairman): 1/16/1999
HJR 6, be adopted. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/15/1999

SB 34, introduced by Jergeson
SB 46, introduced by Swysgood
SB 84, introduced by Halligan
SB 88, introduced by Stang
SB 136, introduced by Jergeson
SB 148, introduced by DePratu

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 305, introduced by D. Ewer, S. Bartlett, G. Beck, P. Clark, J. Cobb, T. Dell, J. Ellingson, R. Erickson, T. Facey, E. Franklin, K. Galvin-Halcro, G. Gutsche, M. Halligan, H. Harper, J. Hurdle, C. Juneau, S. Kitzenberg, B. Krenzler, R. Lenhart, M. Lindeen, G. Matthews, M. McCann, R. Peck, G. Roush, B. Ryan, T. Schmidt, F. Smith, S. Stang, C. Tuss, D. Wyatt, referred to Taxation.
HB 306, introduced by S. Anderson, referred to Business and Labor.
HB 307, introduced by J. Holden, M. Cole, J. Hertel, R. Jabs, G. Jergeson, M. McCann, L. Nelson, F. Smith, referred to Agriculture.
HB 308, introduced by T. Hagener, referred to Judiciary.
HB 309, introduced by B. Molnar, K. Miller, referred to Judiciary.
HB 310, introduced by B. Molnar, K. Miller, B. Raney, B. Rehbein, referred to Education.
HB 311, introduced by B. Molnar, B. Rehbein, referred to State Administration.
HB 312, introduced by K. Galvin-Halcro, G. Beck, A. Bishop, L. McCulloch, B. Raney, C. Squires, B. Wilson, referred to Business and Labor.

The following Senate bills were introduced, read first time, and referred to committees:

SB 34, introduced by G. Jergeson (by request of the Legislative Finance Committee), referred to Appropriations.
SB 46, introduced by C. Swysgood, referred to Appropriations.
SB 84, introduced by M. Halligan (by request of the Department of Revenue), referred to Taxation.
SB 88, introduced by S. Stang (by request of the Department of Justice), referred to Taxation.
SB 136, introduced by G. Jergeson (by request of the Secretary of State), referred to Appropriations.
SB 148, introduced by B. DePratu (by request of the Department of Transportation), referred to Transportation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McCulloch in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading,

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recommend as follows:

HB 71 - Representative Rose moved **HB 71** do pass.

HB 71 - Representative P. Bergsagel moved that **HB 71** be passed for the day. Motion failed as follows:

Ayes: Adams, Ahner, P. Bergsagel, Barnett, E. Bergsagel, Bookout-Reinicke, Brown, E. Clark, R. Clark, Cobb, Dale, Davies, Fisher, Fuchs, Golie, Grinde, Haines, Harper, Jackson, Johnson, Jore, Kasten, Lawson, McGee, McKenney, Molnar, Mood, Ohs, Orr, Raney, Shockley, Sliter, Soft, Story, Stovall, Taylor, Thomas, Tuss, Vick, Walters, Younkin, Zook, Mr. Speaker.

Total 43

Noes: J. Andersen, Barnhart, Beck, Buzzas, P. Clark, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harrington, Hedges, Hibbard, Holden, Juneau, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Smith, Somerville, Squires, Swanson, Tash, Trexler, Tropila, Williams.

Total 44

Excused: S. Anderson, Bitney, Brainard, Curtiss, Dell, Hanson, Hurdle, Krenzler, Rehbein, Simon, Wagner, Witt, Wyatt.

Total 13

Absent or not voting: None.

Total 0

HB 71 - Thereupon, the House reverted to the original motion of Representative Rose.

HB 71 - Representative Vick moved for cloture. Motion carried.

Motion that **HB 71** do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 79

Noes: Adams, P. Bergsagel, E. Bergsagel, Brainard, Buzzas, Curtiss, Davies, Grinde, Haines, Jore, Juneau, Kasten, McGee, Molnar, Orr, Story, Taylor, Vick, Walters.

Total 19

Voted Absentee: S. Anderson, Bitney, Dell, Hanson, Hurdle, Krenzler, Rehbein, Wagner, Witt, Wyatt, Ayes; Brainard, Curtiss, Noes.

Excused: Simon.

Total 1

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Absent or not voting: Eggers.
Total 1

HB 44 - Representative Johnson moved **HB 44** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 87

Noes: Adams, P. Bergsagel, E. Bergsagel, Brainard, Cobb, Curtiss, Jore, Kasten, McGee, Orr, Wyatt.
Total 11

Voted Absentee: S. Anderson, Bitney, Dell, Hanson, Hurdle, Krenzler, Rehbein, Wagner, Witt, Ayes; Brainard, Curtiss, Wyatt, Noes.

Excused: Simon.
Total 1

Absent or not voting: Gutsche.
Total 1

HB 65 - Representative Ahner moved **HB 65** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: Jore, Orr, Story.
Total 3

Voted Absentee: S. Anderson, Bitney, Brainard, Curtiss, Dell, Hanson, Hurdle, Krenzler, Rehbein, Wagner, Witt, Wyatt, Ayes.

Excused: Simon.
Total 1

Absent or not voting: Gutsche.

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Total 1

HB 94 - Representative Cobb moved **HB 94** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Adams, E. Bergsagel, Davies, Jore, McGee, Orr, Vick.

Total 7

Voted Absentee: S. Anderson, Bitney, Brainard, Curtiss, Dell, Hanson, Hurdle, Krenzler, Rehbein, Wagner, Witt, Wyatt, Ayes.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

HB 82 - Representative Harper moved **HB 82** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: P. Bergsagel, Davies, Jore, Orr, Vick.

Total 5

Voted Absentee: S. Anderson, Bitney, Brainard, Curtiss, Dell, Hanson, Hurdle, Krenzler, Rehbein, Wagner, Witt, Wyatt, Ayes.

Excused: Simon.

Total 1

Absent or not voting: Galvin-Halcro.

Total 1

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HR 1 - Representative Grinde moved **HR 1** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Ryan, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 81

Noes: Barnhart, Buzzas, P. Clark, Cobb, Fuchs, Gallus, Gillan, Harper, Harrington, McCann, McCulloch, McGee, Molnar, Peck, Raney, Rose, Schmidt, Tuss.

Total 18

Voted Absentee: S. Anderson, Bitney, Brainard, Curtiss, Dell, Hanson, Hurdle, Krenzler, Rehbein, Wagner, Witt, Wyatt, Ayes.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

HB 76 - Representative Somerville moved **HB 76** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, McCann, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schmidt, Shockley, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Younkin, Zook, Mr. Speaker.

Total 79

Noes: Adams, Buzzas, Facey, Gutsche, Hurdle, Jore, Mangan, Matthews, McCulloch, McGee, Orr, Ryan, Smith, Squires, Swanson, Tropila, Tuss, Williams, Witt, Wyatt.

Total 20

Voted Absentee: S. Anderson, Bitney, Brainard, Curtiss, Dell, Hanson, Hurdle, Krenzler, Rehbein, Wagner, Ayes; Witt, Wyatt, Noes.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed.

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Mr. Speaker in the chair. Chairman McCulloch moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Davies, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Younkin, Zook, Mr. Speaker.

Total 76

Noes: Cobb, Tuss, Vick.

Total 3

Excused: S. Anderson, Bitney, Brainard, Curtiss, Dell, Hanson, Hurdle, Krenzler, Rehbein, Simon, Wagner, Witt, Wyatt.

Total 13

Absent or not voting: Dale, Facey, Fisher, Fuchs, Gutsche, Haines, Ryan, Tash.

Total 8

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 51 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: E. Bergsagel, Jore, Orr.

Total 3

Voted Absentee: S. Anderson, Bitney, Brainard, Curtiss, Dell, Hanson, Hurdle, Krenzler, Rehbein, Wagner, Witt, Wyatt, Ayes.

Excused: Simon.

Total 1

Absent or not voting: Ohs.

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Total 1

HB 80 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, P. Bergsagel, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Brainard, Lawson, Somerville, Wagner.

Total 4

Voted Absentee: S. Anderson, Bitney, Curtiss, Dell, Hanson, Hurdle, Krenzler, Rehbein, Witt, Wyatt, Ayes; Brainard, Wagner, Noes.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

HB 179 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, Bitney, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Noennig, Ohs, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 77

Noes: Adams, P. Bergsagel, Barnett, Bookout-Reinicke, Brainard, Curtiss, Davies, Gallus, Golie, Jore, McCulloch, McGee, Menahan, Molnar, Orr, Pavlovich, Peck, Quilici, Rehbein, Squires, Vick, Wagner.

Total 22

Voted Absentee: S. Anderson, Bitney, Dell, Hanson, Hurdle, Krenzler, Witt, Wyatt, Ayes; Brainard, Curtiss, Rehbein, Wagner, Noes.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

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MOTIONS

Representative Gutsche requested that her 2nd reading vote on **HB 76** be changed from aye to no. Motion carried.

Representative Tuss requested that she be recorded as voting aye on 3rd reading vote for **HB 51**. Motion carried.

SPECIAL ORDERS OF THE DAY

The following cosponsor was added to **HB 180**: Representative Eggers.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:30 p.m., Monday, January 18, 1999. Motion carried.

House adjourned at 10:30 a.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
THIRTEENTH LEGISLATIVE DAY**

Helena, Montana
January 18, 1999

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Mood. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Curtiss and McCann. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the ninth, tenth, eleventh, and twelfth legislative days, find the same to be correct.

Rehbein, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/18/1999
Correctly printed: **HB 52, HB 116, HB 135, HB 170, HB 180, HB 190, HJR 6.**
Correctly engrossed: **HB 44, HB 65, HB 71, HB 76, HB 82, HB 94.**

APPROPRIATIONS (Zook, Chairman): 1/18/1999
HB 3, introduced bill, be amended as follows:

1. Page 1, line 24.

Strike: "\$167,400"

Insert: "\$125,479"

2. Page 1, line 26.

Strike: "\$11,702,203"

Insert: "\$10,545,963"

3. Page 1, line 30.

Strike: "\$237,116"

Insert: "\$226,348"

Comment: These amendments reduce the requested supplemental appropriations to the revised executive levels for: 1) legal fees in the Commissioner of Political Practices; 2) fire suppression in the Department of Natural Resources and Conservation; and 3) the Human Rights Bureau in the Department of Labor and Industry.

And, as amended, do pass. Report adopted.

HB 41, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "ELIMINATING"

Insert: "EXTENDING"

2. Page 1, line 13.

Following: "~~date~~"

Strike: " . "

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Following: "~~(†)~~"

Insert: "-- termination.(1)"

3. Page 1, line 14.

Following: "~~1999~~."

Insert: "(2) [This act] terminates June 30, 2003."

And, as amended, do pass. Report adopted.

HB 207, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: "FUND;"

Insert: "STATUTORILY APPROPRIATING THE EXPENSE PAYMENTS AND DISTRICT COURT GRANTS;"

2. Page 3.

Following: line 13

Insert: "(3) All revenue disbursed under this section must be deposited in and credited to the district court fund.
If a district court fund does not exist, the revenue must be deposited in the county general fund for district court operations."

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):

1/18/1999

HB 58, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/16/1999

SB 24, introduced by Nelson

SB 55, introduced by Taylor

SB 56, introduced by McCarthy

SB 79, introduced by Swysgood

SB 80, introduced by Swysgood

SB 61, introduced by Ellis, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

Yeas - 29

Nays - 20

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 314, introduced by B. Raney, S. Anderson, M. Cole, B. Crippen, L. Grinde, L. Grosfield, H. Harper, C. Hibbard, S. Stang, B. Story, J. Stovall, E. Swanson, referred to Fish, Wildlife and Parks.

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HB 315, introduced by B. Raney, J. Bohlinger, B. Crippen, S. Doherty, L. Grinde, L. Grosfield, H. Harper, S. Stang, B. Story, E. Swanson, referred to Fish, Wildlife and Parks.

HB 316, introduced by B. Raney, B. Crippen, B. Eggers, L. Grinde, L. Grosfield, R. Jabs, C. Juneau, S. Stang, J. Stovall, referred to Fish, Wildlife and Parks.

HB 317, introduced by B. Raney, H. Harper, referred to Fish, Wildlife and Parks.

HB 318, introduced by A. Walters, D. Adams, R. Bitney, M. Brainard, A. Curtiss, B. Davies, R. Jore, T. Keating, S. Orr, J. Wells, referred to Taxation.

HB 319, introduced by R. Dale, C. Ahner, D. Fuchs, P. Sliter, B. Tash, referred to Human Services.

The following Senate bills were introduced, read first time, and referred to committees:

SB 24, introduced by L. Nelson, referred to Judiciary.

SB 55, introduced by M. Taylor (by request of the Legislative Finance Committee), referred to Appropriations.

SB 56, introduced by B. McCarthy, referred to Education.

SB 79, introduced by C. Swysgood, referred to Education.

SB 80, introduced by C. Swysgood, referred to Education.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ohs in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 99 - Representative Hagener moved **HB 99** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Adams, Brainard, Jore, Rehbein, Wagner.

Total 5

Voted Absentee: McCann, Aye.

Excused: Curtiss.

Total 1

Absent or not voting: None.

Total 0

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HB 210 - Representative Johnson moved **HB 210** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: E. Bergsagel, P. Bergsagel, Brainard, Davies, Erickson, Grinde, Jore, Kasten, McGee, Rehbein, Story, Vick.

Total 12

Voted Absentee: McCann, Aye.

Excused: Curtiss.

Total 1

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Ohs moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Rehbein.

Total 1

Excused: Curtiss, McCann.

Total 2

Absent or not voting: Swanson, Williams.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the

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following manner:

HB 71 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 79

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Davies, Fuchs, Grinde, Jore, Kasten, McGee, Molnar, Mood, Orr, Rehbein, Sliter, Story, Taylor, Vick, Wagner, Walters.

Total 21

Voted Absentee: McCann, Aye; Curtiss, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 44 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 85

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Cobb, Curtiss, Galvin-Halcro, Grinde, Jore, Kasten, McGee, Orr, Rehbein, Sliter, Wyatt.

Total 15

Voted Absentee: McCann, Aye; Curtiss, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 65 passed as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Jore, Orr, Story.

Total 3

Voted Absentee: Curtiss, McCann, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 94 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: Adams, E. Bergsagel, P. Bergsagel, Davies, Jore, McGee, Molnar, Orr, Rehbein, Vick.

Total 10

Voted Absentee: Curtiss, McCann, Ayes.

Excused: None.

Total 0

Absent or not voting: P. Clark, Somerville.

Total 2

HB 82 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey,

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Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: P. Bergsagel, Orr, Vick.

Total 3

Voted Absentee: Curtiss, McCann, Ayes.

Excused: None.

Total 0

Absent or not voting: Eggers.

Total 1

HB 76 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, McCann, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Younkin, Zook, Mr. Speaker.

Total 79

Noes: Adams, Buzzas, Facey, Galvin-Halcro, Guggenheim, Gutsche, Hurdle, Jore, Mangan, Matthews, McCulloch, McGee, Orr, Ryan, Squires, Tropila, Tuss, Williams, Witt, Wyatt.

Total 20

Voted Absentee: Curtiss, McCann, Ayes.

Excused: None.

Total 0

Absent or not voting: Brainard.

Total 1

HB 109 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith,

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Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 75

Noes: Adams, Barnhart, P. Bergsagel, Brainard, Buzzas, P. Clark, Curtiss, Davies, Ewer, Harper, Hurdle, Jackson, Johnson, Jore, Kasten, McCann, McGee, Molnar, Orr, Peck, Soft, Swanson, Vick, Wagner.

Total 24

Voted Absentee: Curtiss, McCann, Noes.

Excused: None.

Total 0

Absent or not voting: Gallus.

Total 1

MOTIONS

Representative Hurdle requested that her vote be changed from yes to no on HB 76 on 2nd reading on Saturday, January 16, 1999, Legislative Day 12. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Tuesday, January 19, 1999. Motion carried.

House adjourned at 1:55 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
FOURTEENTH LEGISLATIVE DAY**

Helena, Montana
January 19, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Speaker Pro Tempore Mood in the Chair. Invocation by Representative Golie. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Curtiss, Mercer, and Tuss. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirteenth legislative day, find the same to be correct.

Rehbein, Chairman

SPECIAL ORDERS OF THE DAY

Representative Simon was honored as State Official of the Year by the National Association of Home Builders and State Official of the Year by the Montana Building Industry Association.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/19/1999
Correctly printed: **HB 3, HB 41, HB 58, HB 176, HB 207, HB 255, HJR 9.**
Correctly engrossed: **HB 99, HB 210.**
Correctly enrolled: **HR 1.**

EDUCATION (Masolo, Chairman): 1/19/1999
HB 90, do pass. Report adopted.

HUMAN SERVICES (Soft, Chairman): 1/19/1999
HB 70, introduced bill, be amended as follows:

1. Title, lines 9 and 10.
Strike: "ALLOWING" on line 9 through "PARTY;" on line 10

2. Page 1, line 22.
Strike: "residential service"
Insert: "private home or other facility"
Following: "offers"
Insert: ", except as provided in 50-5-216, only"

3. Page 1, line 24.
Strike: "operator"
Insert: "owner or manager"

4. Page 1, line 25.
Strike: "operator"
Insert: "owner or manager"

5. Page 7, line 8, through page 8, line 28.

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Strike: section 2 in its entirety

Insert: "Section 2. Section 50-5-216, MCA, is amended to read:

"50-5-216. Limitation on care provided in adult foster care home. (1) Except as provided in this section, the types of care offered by adult foster care homes are limited to light personal care or custodial care and may not include skilled nursing care.

(2) An adult foster care home may be licensed to provide care for an adult receiving state-funded services through the developmental disabilities program of the department or for an adult who resided in the home for at least 1 year before reaching 18 years of age, even though the adult is:

- (a) in need of skilled nursing care;
- (b) in need of medical, physical, or chemical restraint;
- (c) nonambulatory or bedridden;
- (d) incontinent to the extent that bowel or bladder control is absent; or
- (e) unable to self-administer medications.

(3) An adult foster care home that applies for a license under subsection (2) ~~must have a signed statement from a physician agreeing that the care needed by the adult may be provided in the home~~ shall provide the department with a copy of the statement required in subsection (4).

(4) A resident of an adult foster care home licensed under subsection (2) must have a certification in the form of a signed statement, renewed on an annual basis, from a physician, a physician assistant-certified, a nurse practitioner, or a registered nurse, whose work is unrelated to the operation of the home and who:

~~(a) has actually visited the home within the year covered by the statement; and certifies that:~~

~~(b) has certified that the particular needs of the resident can be adequately met in the home~~ (a) the services available to the resident in the home or in the community, or services that may be brought into the home from the community, including nursing services or therapies, are appropriate for meeting the health care or other needs of the resident; and

~~(c) has certified that there has been no significant change in health care status that would require another level of care~~ (b) the health care status of the resident does not necessitate placing the resident in a more intensive residential service setting.

(5) As used in this section, "skilled nursing care" means 24-hour care supervised by a registered nurse or a licensed practical nurse under the orders of an attending physician."

And, as amended, do pass. Report adopted.

HB 85, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: ", excluding the use of surgery,"

2. Page 1, line 23.

Strike: ", excluding surgery"

3. Page 2.

Following: line 1

Insert: "(3) Subsection (1) does not allow an optometrist to perform surgery or laser surgery for any purpose."

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

JUDICIARY (Clark, Chairman):

1/18/1999

HB 176, do pass. Report adopted.

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HB 255, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):
HB 95, introduced bill, be amended as follows:

1/19/1999

1. Title, page 1, lines 6 and 7.
Strike: "CLARIFYING" on line 6 through "LAW;" on line 7
2. Title, page 1, line 11.
Following: "SECTIONS"
Strike: "85-2-102,"
3. Page 1, line 16 through page 7, line 27.
Strike: Section 1 in its entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

TRANSPORTATION (Anderson, Chairman):
HB 172, introduced bill, be amended as follows:

1/19/1999

1. Title, lines 5 and 6.
Strike: "SPECIFYING" on line 5 through "USED" on line 6
Insert: "PROVIDING FOR THE USE OF ELECTRONIC FUNDS TRANSFER"
2. Title, line 6.
Following: " ; "
Insert: "ALLOWING AN EXTRA 3 DAYS FOR PAYMENT IF ELECTRONIC FUNDS TRANSFER IS USED;"
3. Title, line 9.
Strike: "AND"
Following: "15-70-115,"
Insert: "15-70-205, 15-70-344, AND 15-70-352,"
4. Page 1, lines 26 through 28.
Strike: "for" on line 26 through "\$100,000" on line 28
Renumber: subsequent subsection
5. Page 2.
Following: line 1
Insert: "(3) If the payment of the tax due on gasoline or special fuel pursuant to 15-70-205 and 15-70-344 is made by electronic funds transfer, the payment due date is the 28th day of each calendar month."
6. Page 2.
Following: line 19

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Insert: "Section 5. Section 15-70-205, MCA, is amended to read:

"15-70-205. (Temporary) Distributor's statement and payment -- confidentiality. (1) Each distributor shall, not later than the 25th day of each calendar month, except as provided in 15-70-113(3), render a true signed statement to the department of transportation of all gasoline distributed and received by the distributor in this state during the preceding calendar month and containing any other information that the department may reasonably require in order to administer the gasoline license tax law. The statement must be accompanied by a payment in an amount equal to the tax imposed by 15-70-204 less any refund credit issued under 15-70-226 and less 1% of the total tax that may be deducted by the distributor as an allowance for collecting the tax. An allowance may not be deducted from the 3-cent tax on aviation fuel.

(2) A distributor engaged in or carrying on a business at more than one place or location in this state may include all places of business in one statement.

(3) The department or a deputy, assistant, agent, clerk, or other employee of the department may not publish or otherwise disseminate information contained in a statement required under this section in a form that allows identification of a distributor or a purchaser of gasoline. This section ~~may not be construed to~~ does not prohibit:

(a) the delivery to a distributor or the distributor's authorized representative of a certified copy of any return or report filed in connection with the tax;

(b) the inspection by the attorney general or other legal representative of the state of the report or return of a distributor who brings an action to set aside or review the tax based on the report or return or against whom an action or proceeding has been instituted in accordance with the provisions of Title 15;

(c) the publication of statistics classified to prevent the identification of particular reports or returns and the items in the reports or returns;

(d) the inspection by the commissioner of internal revenue of the United States or the proper officer or any representative of either officer of the report or return of any distributor or the furnishing to the officer or authorized representative of an abstract of the report or return, but permission must be granted or information must be furnished to the officer or the officer's representative if the statutes of the United States or the other state grant substantially similar privileges to the proper officer of this state charged with the administration of this chapter or in compliance with 15-70-121 and 15-70-122; or

(e) the compliance of the department with any order of a court of competent jurisdiction. (Terminates on occurrence of contingency--sec. 17, Ch. 642, L. 1993.)

15-70-205. (Effective on occurrence of contingency) Distributor's statement and payment -- confidentiality. (1) Each distributor shall, not later than the 25th day of each calendar month, except as provided in 15-70-113(3), render a true signed statement to the department of transportation of all gasoline distributed and received by the distributor in this state during the preceding calendar month and containing any other information that the department may reasonably require in order to administer the gasoline license tax law. The statement must be accompanied by a payment in an amount equal to the tax imposed by 15-70-204 less any refund credit issued under 15-70-226 and less 1% of the total tax that may be deducted by the distributor as an allowance for collecting the tax. An allowance may not be deducted from the 2-cent tax on aviation fuel.

(2) A distributor engaged in or carrying on a business at more than one place or location in this state may include all places of business in one statement.

(3) The department or a deputy, assistant, agent, clerk, or other employee of the department may not publish or otherwise disseminate information contained in a statement required under this section in a form that allows identification of a distributor or a purchaser of gasoline. This section ~~may not be construed to~~ does not prohibit:

(a) the delivery to a distributor or the distributor's authorized representative of a certified copy of any return or report filed in connection with the tax;

(b) the inspection by the attorney general or other legal representative of the state of the report or return of a distributor who brings an action to set aside or review the tax based on the report or return or against whom an action or proceeding has been instituted in accordance with the provisions of Title 15;

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(c) the publication of statistics classified to prevent the identification of particular reports or returns and the items in the reports or returns;

(d) the inspection by the commissioner of internal revenue of the United States or the proper officer or any representative of either officer of the report or return of any distributor or the furnishing to the officer or authorized representative of an abstract of the report or return, but permission must be granted or information must be furnished to the officer or the officer's representative if the statutes of the United States or the other state grant substantially similar privileges to the proper officer of this state charged with the administration of this chapter or in compliance with 15-70-121 and 15-70-122; or

(e) the compliance of the department with any order of a court of competent jurisdiction."

Insert: "Section 6. Section 15-70-344, MCA, is amended to read:

"15-70-344. Distributor's statement and payment -- confidentiality. (1) Each distributor shall, not later than the 25th day of each calendar month, except as provided in 15-70-113(3), render to the department of transportation a signed statement that specifies all special fuel distributed and received by the distributor in this state during the preceding calendar month and that contains other information the department may reasonably require in order to administer the special fuel license tax law. The statement must be accompanied by a payment in an amount equal to the tax imposed by 15-70-343, less any refund credit issued under 15-70-356 and less 1 % of the total tax that may be deducted by the distributor as an allowance for collection.

(2) A distributor engaged in or carrying on a business at more than one location in this state may include all places of business in one statement.

(3) The department or a deputy, assistant, agent, clerk, or other employee of the department may not publish or otherwise disseminate information contained in a statement required under this section in a form that allows identification of a distributor or a purchaser of special fuel. This section ~~may not be construed to~~ does not prohibit:

(a) the delivery to a distributor or a distributor's authorized representative of a certified copy of any return or report filed in connection with the distributor's tax;

(b) the inspection by the attorney general or by another legal representative of the state of the report or return of a distributor who brings an action to set aside or review the tax based on the report or return or against whom an action or proceeding has been instituted in accordance with the provisions of Title 15;

(c) the publication of statistics classified to prevent the identification of particular reports or returns and the items in the reports or returns;

(d) the inspection by the commissioner of internal revenue of the United States or by the proper officer of any state imposing a tax on special fuel or by any representative of either officer of the report or return of any distributor or the furnishing to the officer or authorized representative of an abstract of the report or return, but permission must be granted or information must be furnished to the officer or the officer's representative only if the statutes of the United States or the other state grant substantially similar privileges to the proper officer of this state charged with the administration of this chapter or in compliance with 15-70-121 and 15-70-122; or

(e) the compliance of the department with any order of a court of competent jurisdiction."

Insert: "Section 7. Section 15-70-352, MCA, is amended to read:

"15-70-352. Penalties for delinquency. (1) Any license tax not paid within the time provided in 15-70-113(3) and 15-70-344 is delinquent, a penalty of 10% is added to the tax, and the tax bears interest at the rate of 1 % on the tax due for each calendar month or fraction of a month. Upon a showing of good cause by the distributor, the department of transportation may waive penalty.

(2) If any distributor or other person subject to the payment of the license tax willfully fails, neglects, or refuses to make any statement required by this part or willfully fails to make payment of the license tax within the time provided, the department may revoke any license issued under this part.

(3) The department shall set forth the information it requires in the statement and determine the amount of the license tax due from the distributor and shall add a penalty of \$25 or 10% of the amount due, whichever is greater, together with an interest rate of 1 % per month or fraction of a month from the date the statements should

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have been made and the license tax should have been paid.

(4) The department shall proceed to collect the license tax, with penalties and interest. At the request of the department, the attorney general shall commence and prosecute to final determination in any court of competent jurisdiction an action to collect the license tax."

And, as amended, do pass. Report adopted.

HB 187, introduced bill, be amended as follows:

1. Title, line 8.

Following: " ; "

Insert: "REQUIRING REMOVAL OR COVERING OF SIGNS WHEN NO WORK IS IN PROGRESS AND NO HAZARD EXISTS;"

2. Page 2.

Following: line 11

Insert: "(d) The department of transportation, the local authority, the utility company, or the private contractor shall remove or cover the signs when no work is in progress and no hazard exists."

And, as amended, do pass. Report adopted.

SB 10, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

JOINT SELECT COMMITTEE ON JOBS AND INCOME (DePratu, Chairman):

1/19/1999

HB 237, introduced bill, be amended as follows:

1. Page 1, line 23.

Following: "economy"

Insert: ", including raising the per capita income of Montana jobholders"

2. Page 2, line 5.

Following: "basis"

Insert: "or raise salaries, wages, and business incomes of existing employees and employers"

3. Page 2, line 27.

Following: "purposes;"

Strike: "and"

Insert: "(d) the amount of increased salaries, wages, and business incomes of existing jobholders and businesses; and"

4. Page 2, line 28.

Strike: "(d)"

Insert: "(e)"

And, as amended, do pass. Report adopted.

HB 239, introduced bill, be amended as follows:

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1. Title, line 6.

Strike: "75"

Insert: "50"

Following: "PERCENT"

Insert: ", UP TO A MAXIMUM OF \$8,250,000,"

2. Page 1, line 28.

Strike: "25% of the"

Insert: "except as provided in 15-31-803,"

3. Page 2, line 26 through line 27.

Following: "to"

Strike: remainder on line 26 through "fund" on line 27

Insert: "50%, up to a maximum amount of \$8,250,000, must be deposited into the account in the state special revenue fund established in [section 3]"

4. Page 2, line 28 through line 29.

Following: "deposited" on line 28

Strike: remainder on line 28 through "]" on line 29

Insert: "into the general fund"

5. Page 3, line 3.

Following: "(2)" on line 3

Strike: remainder on line 3 through line 4

Insert: "Of the money in the account:

(a) 90%, up to a maximum of \$8 million, may be appropriated to the department of commerce for economic development programs pursuant to recommendations from the Montana jobs and income commission provided for in [section 6 of House Bill No. 238]; and

(b) the amount remaining after the appropriation under subsection (2)(a), up to a maximum of \$250,000, may be appropriated to the department of commerce to administer the foreign capital depository.

(3) The amount of money in the account that is not appropriated reverts to the general fund."

6. Page 3, line 9.

"NEW SECTION. Section 5. Coordination instruction. (1) If House Bill No. 238 is not passed and approved, then [section 3] must read as follows:

"NEW SECTION. Section 3. Account -- special revenue fund -- economic development. (1) There is an account in the special revenue fund.

(2) Of the money in the account:

(a) 90%, up to a maximum of \$8 million, may be appropriated to the department of commerce for economic development programs; and

(b) the amount remaining after the appropriation under subsection (2)(a), up to a maximum of \$250,000, may be appropriated to the department of commerce to administer the foreign capital depository.

(3) The amount of money in the account that is not appropriated reverts to the general fund."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 240, introduced bill, be amended as follows:

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1. Title, line 6.

Strike: "3-YEAR"

Insert: "5-YEAR"

2. Page 1, line 17.

Strike: "3-year"

Insert: "5-year"

3. Page 2, line 3.

Strike: "."

Insert: "; (d) the credit in the fourth tax year is an amount equal to 25% of the premium payments not in excess of \$200 paid for the benefit of each employee in each month of the tax year; and

(e) the credit in the fifth tax year is an amount equal to 25% of the premium payments not in excess of \$200 paid for the benefit of each employee in each month of the tax year."

4. Page 2, line 7.

Strike: "fourth"

Insert: "sixth"

5. Page 2, line 9.

Strike: "trust fund"

6. Page 2, line 10.

Strike: "trust fund"

7. Page 2, line 14.

Strike: "trust fund"

8. Page 2, line 15.

Strike: "trust fund"

9. Page 2, line 17.

Strike: "trust fund"

10. Page 3, line 12.

Strike: "3-year"

Insert: "5-year"

11. Page 3, line 28.

Strike: "."

Insert: "; (d) the credit in the fourth year is an amount equal to 25% of the premium payments not in excess of \$200 paid for the benefit of each employee in each month of the tax year; and

(e) the credit in the fifth tax year is an amount equal to 25% of the premium payments not in excess of \$200 paid for the benefit of each employee in each month of the tax year."

12. Page 3, line 29.

Strike: "fourth"

Insert: "sixth"

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And, as amended, do pass. Report adopted.

HB 252, introduced bill, be amended as follows:

1. Page 4, lines 1 and 2.

Strike: "technical" on line 1 through "system" on line 2

Insert: "distance learning technology"

2. Page 5, line 26.

Insert: "NEW SECTION. Section 13. Montana jobs and income commission-- appropriation. (1) There is appropriated to the Montana jobs and income commission \$2,170,000 from the general fund for the biennium ending July 1, 2001, for the purposes described in subsections (2) and (3).

(2) Of the fund appropriated in subsection (1), the Montana jobs and income commission shall use up to:

(a) \$530,200 for personal services;

(b) \$166,450 for operating expenses; and

(c) \$12,750 for equipment.

(3) Of the remaining amount appropriated and unexpended, the Montana jobs and income commission shall provide local assistance, including:

(a) funding the certified communities program established in 90-1-116;

(b) providing grants to local leadership programs; and

(c) providing matching funds to federal small business innovation research funds."

Renumber: subsequent sections

3. Page 6, line 24.

Insert: "NEW SECTION. Section 15. Coordination instructions. (1) If [this act] is passed and approved but does not contain a section that appropriates funds to the Montana jobs and income commission for the biennium ending July 1, 2001, then House Bill No. 238 is void on July 1, 1999.

(2) If [this act] is not passed and approved, then House Bill No. 238 is void on July 1, 1999.

(3) If House Bill No. 238 is not passed and approved, then [section 13 of this act] is void."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 260, introduced bill, be amended as follows:

1. Title, lines 11 and 12.

Strike: "ALLOCATING" through "FUND;" on line 12

2. Page 2, line 12.

Following: "means"

Insert: "the campuses of"

3. Page 2, line 13.

Strike: "Montana - Missoula,"

Insert: "Montana or"

Strike: "university - Bozeman,"

Insert: "university"

4. Page 2, line 27.

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Strike: "LC 1224"

Insert: "House Bill No. 238"

5. Page 3, line 3.

Following: "Montana."

Insert: "At least 20% of the investments made must be directed toward projects that enhance production agriculture."

6. Page 3, line 18.

Strike: "and"

7. Page 3, line 20.

Following: "source"

Insert: "; and

(i) whether the project includes research opportunities for students"

8. Page 5, lines 2 through 6.

Following: "fund."

Strike: remainder of line 2 through "." on line 6

9. Page 6, line 10.

Following: "Montana"

Insert: "jobs and income"

Strike: "on jobs and income"

10. Page 6, line 11.

Strike: "LC 1224"

Insert: "House Bill No. 238"

11. Page 8, line 18.

Following: "Montana"

Insert: "jobs and income"

Strike: "on jobs and income"

12. Page 8, line 19.

Strike: "LC 1224"

Insert: "House Bill No. 238"

13. Page 10, line 27 through 29.

Strike: section 8 in its entirety

Renumber: subsequent sections

14. Page 11, line 5.

Strike: "[LC 1224]"

Insert: "House Bill No. 238"

And, as amended, do pass. Report adopted.

HJR 9, be adopted. Report adopted.

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MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/18/1999

SB 2, introduced by Toews
SB 7, introduced by Jabs
SB 8, introduced by Hargrove
SB 18, introduced by Nelson
SB 20, introduced by Shea
SB 63, introduced by Nelson
SB 64, introduced by Mohl
SB 72, introduced by Keenan
SB 76, introduced by Beck
SB 93, introduced by Hargrove
SB 98, introduced by Mesaros
SB 106, introduced by Ekegren
SB 109, introduced by Ellis

Senate joint resolution passed and transmitted to the House for concurrence:

1/18/1999

SJR 3, introduced by Cocchiarella

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 313, introduced by B. Raney, referred to Human Services.
HB 320, introduced by D. Ewer, G. Golie, R. Peck, J. Quilici, B. Rehbein, S. Rose, R. Somerville, referred to Business and Labor.
HB 321, introduced by D. Fuchs, C. Squires, referred to Business and Labor.
HB 322, introduced by D. Fuchs, C. Squires, referred to Business and Labor.
HB 323, introduced by M. Brainard, R. Clark, referred to Local Government.
HB 324, introduced by M. Brainard, referred to State Administration.
HB 325, introduced by M. Brainard, referred to Local Government.
HB 326, introduced by M. Brainard, referred to Local Government.
HB 327, introduced by M. Brainard, referred to Judiciary.
HB 328, introduced by C. Ahner, referred to Business and Labor.
HB 329, introduced by R. Clark, referred to Transportation.
HB 330, introduced by J. Cobb, D. Wyatt, referred to Appropriations.
HB 331, introduced by C. Ahner, referred to Natural Resources.
HB 332, introduced by A. Walters, referred to Fish, Wildlife and Parks.
HB 333, introduced by J. Cobb, referred to Agriculture.
HB 334, introduced by J. Quilici, G. Beck, J. Harp, J. Lynch, D. Mahlum, W. McNutt, R. Menahan, S. Rose, D. Shea, referred to State Administration.
HB 335, introduced by S. Vick, referred to State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

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SB 2, introduced by D. Toews (by request of the Joint Committee on Postsecondary Education Policy and Budget), referred to Education.

SB 7, introduced by R. Jabs (by request of the Department of Natural Resources and Conservation), referred to Agriculture.

SB 8, introduced by D. Hargrove, referred to Judiciary.

SB 18, introduced by L. Nelson, K. Ohs, referred to Agriculture.

SB 20, introduced by D. Shea (by request of the Board of Pardons and Parole), referred to Judiciary.

SB 61, introduced by A. Ellis (by request of the Interim Property Tax Committee), referred to Taxation.

SB 63, introduced by L. Nelson (by request of the Board of Crime Control), referred to Judiciary.

SB 64, introduced by A. Mohl (by request of the Department of Environmental Quality), referred to Natural Resources.

SB 72, introduced by B. Keenan (by request of the Department of Environmental Quality), referred to Natural Resources.

SB 76, introduced by T. Beck (by request of the Department of Public Health and Human Services), referred to Human Services.

SB 93, introduced by D. Hargrove (by request of the Department of Public Health and Human Services), referred to Human Services.

SB 98, introduced by K. Mesaros, V. Cocchiarella, L. Grosfield, K. Ohs, S. Stang, B. Tash (by request of the Environmental Quality Council), referred to Natural Resources.

SB 106, introduced by P. Ekegren (by request of the Department of Revenue), referred to Taxation.

SB 109, introduced by A. Ellis (by request of the Department of Revenue), referred to Taxation.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 3, introduced by V. Cocchiarella, L. Grosfield, K. Ohs (by request of the Environmental Quality Council), referred to Natural Resources.

MOTIONS

Representative Grinde moved that **HB 135** be passed for the day. Motion carried.

Representative Menahan moved that **HB 52** be passed for the day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Tropila in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 170 - Representative Masolo moved **HB 170** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan,

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Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 95

Noes: Adams, Jore, Rehbein.

Total 3

Voted Absentee: Curtiss, Tuss, Ayes.

Excused: Mr. Speaker.

Total 1

Absent or not voting: Eggers.

Total 1

HB 190 - Representative Soft moved **HB 190** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 98

Noes: None.

Total 0

Voted Absentee: Curtiss, Tuss, Ayes.

Excused: Mr. Speaker.

Total 1

Absent or not voting: Mood.

Total 1

HB 180 - Representative Soft moved **HB 180** do pass.

HB 180 - Representative Molnar moved **HB 180**, second reading copy, be amended as follows :

1. Title, line 8.

Following: "GUARDIANSHIPS;"

Insert: "PROVIDING FOR A JURY TRIAL ON A PETITION FOR TERMINATION OF PARENTAL RIGHTS;"

2. Page 7, line 29.

Strike: "no"

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3. Page 8, line 18.

Strike: "no"

Insert: "a"

4. Page 8, line 19.

Following: "relationship."

Insert: "For purposes of this subsection, Article II, section 26, of the Montana constitution must be liberally construed."

Amendment passed as follows:

Ayes: Adams, Ahner, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Ewer, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Jore, Kitzenberg, Lawson, Masolo, Matthews, McGee, McKenney, Molnar, Mood, Ohs, Orr, Pavlovich, Raney, Rehbein, Shockley, Simon, Sliter, Smith, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook.

Total 54

Noes: J. Andersen, S. Anderson, Barnhart, Beck, Buzzas, Dell, Eggers, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kasten, Krenzler, Lenhart, Lindeen, Mangan, McCann, McCulloch, Menahan, Noennig, Peck, Quilici, Rose, Ryan, Schmidt, Soft, Squires, Swanson, Tropila, Williams, Wyatt, Younkin.

Total 43

Excused: Curtiss, Tuss, Mr. Speaker.

Total 3

Absent or not voting: None.

Total 0

HB 180 - Representative Soft moved **HB 180**, as amended, do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook.

Total 92

Noes: Barnhart, Curtiss, Guggenheim, Jore, Juneau, Orr, Wyatt.

Total 7

Voted Absentee: Tuss, Aye; Curtiss, No.

Excused: Mr. Speaker.

Total 1

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Absent or not voting: None.
Total 0

HB 215 - Representative Ewer moved **HB 215** do pass. Motion carried as follows:

Ayes: J. Andersen, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Zook.
Total 70

Noes: Adams, Ahner, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brown, Cobb, Dale, Davies, Fuchs, Grinde, Hanson, Hedges, Jore, Kasten, Lindeen, Molnar, Mood, Noennig, Orr, Rehbein, Rose, Story, Tash, Taylor, Vick, Wagner, Younkin.
Total 29

Voted Absentee: Curtiss, Tuss, Ayes.

Excused: Mr. Speaker.
Total 1

Absent or not voting: None.
Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Mood in the chair. Chairman Tropila moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Walters, Williams, Witt, Younkin, Zook.
Total 85

Noes: Ahner, Barnhart, Cobb, Fuchs, Lindeen, Mangan, Rehbein, Wagner, Wyatt.
Total 9

Excused: Curtiss, Tuss, Mr. Speaker.
Total 3

Absent or not voting: Bookout-Reinicke, Jackson, Mood.
Total 3

THIRD READING OF BILLS

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The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 99 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 89

Noes: Adams, P. Bergsagel, Brainard, Curtiss, Jore, Molnar, Rehbein, Vick, Wagner.

Total 9

Voted Absentee: Tuss, Aye; Curtiss, No.

Excused: Mr. Speaker.

Total 1

Absent or not voting: Mood.

Total 1

HB 210 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 84

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Cobb, Curtiss, Davies, Jore, Kasten, McCann, McGee, Rehbein, Story, Vick.

Total 14

Voted Absentee: Tuss, Aye; Curtiss, No.

Excused: Mr. Speaker.

Total 1

Absent or not voting: Mood.

Total 1

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SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HB 133**: Representatives Barnhart, Beck, Clark, Dell, Eggers, Erickson, Ewer, Facey, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Juneau, Kitzenberg, Krenzler, Lindeen, Mangan, Matthews, McCulloch, Peck, Quilici, Rose, Ryan, Schmidt, Swanson, Tuss, Williams, Wyatt, and Senators Bartlett, Christiaens, Cocchiarella, Doherty, Eck, Ellingson, Franklin, Halligan, Jergeson, Nelson, Roush, Stang, Tester, and Waterman.

The following cosponsors were added to **HB 305**: Representative Brainard and Senator Bishop.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Wednesday, January 20, 1999. Motion carried.

House adjourned at 2:15 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker Pro Tempore of the House

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Helena, Montana
January 20, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Lenhart. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Curtiss. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/20/1999
Correctly printed: **HB 36, HB 53, HB 70, HB 85, HB 90, HB 95, HB 115, HB 172, HB 187, HB 200, HB 237, HB 239, HB 240, HB 250, HB 252, HB 260.**
Correctly engrossed: **HB 170, HB 180, HB 190, HB 215.**
Examined by the sponsor and found to be correct, January 19, 1999: **HR 1.**
Signed by the Speaker at 7:49 a.m., January 20, 1999: **HR 1.**
Delivered to the Secretary of State, January 20, 1999: **HR 1.**

APPROPRIATIONS (Zook, Chairman): 1/19/1999
HB 75, do pass. Report adopted.
SB 17, be concurred in. Report adopted.
SB 50, be concurred in. Report adopted.
HB 64, introduced bill, be amended as follows: 1/20/1999

1. Title, page 1, line 4.
Following: "A"
Insert: "PRIORITIZED"

2. Page 2, line 27.
Following: "a"
Insert: "prioritized"

3. Page 2, line 28.
Following: the first "the"
Insert: "prioritized"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Simon, Chairman): 1/19/1999
HB 167, do pass. Report adopted.
HB 200, introduced bill, be amended as follows:

1. Page 1, line 14.
Following: "greater."
Insert: "not to exceed \$10,000,"

And, as amended, do pass. Report adopted.

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HB 227, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "90 DAYS"

Insert: "1 YEAR"

2. Title, page 1, line 9.

Following: "FILE;"

Insert: "PROVIDING AN EXCEPTION FOR CHILD SUPPORT AND SPOUSAL DEBTS;"

3. Page 1, line 16.

Following: "file."

Strike: "If"

Insert: "Except for a child support or spousal debt, if"

4. Page 1, line 18.

Strike: "90 days"

Insert: "1 year"

5. Page 2, line 3 and line 22.

Following: "corporation"

Strike: " " in both places

And, as amended, do pass. Report adopted.

HB 229, do pass. Report adopted.

HB 250, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "CORPORATIONS"

Insert: "ORGANIZATIONS"

2. Page 1, line 20.

Strike: "corporations"

Insert: "organizations"

And, as amended, do pass. Report adopted.

EDUCATION (Masolo, Chairman):

1/20/1999

HB 125, introduced bill, be amended as follows:

1. Page 1, line 28.

Strike: "within a library system, as defined in 22-1-402,"

And, as amended, do pass. Report adopted.

JUDICIARY (Clark, Chairman):

1/19/1999

HB 53, introduced bill, be amended as follows:

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1. Page 2, line 11 through line 12.

Strike: ", excluding" on line 11 through "staff" on line 12

Following: "executed." on line 12

Insert: "The witnesses must, to the extent possible, include three persons from the news media, three persons designated by the family of the victim of the crime, three persons designated by the person to be executed, and three persons chosen by the department of corrections."

2. Page 2, line 13.

Strike: subsection (c) in its entirety

Insert: "(c) A proposed witness is subject to rejection by the department of corrections if the department has reason to believe that the witness:

- (i) poses a risk to the safety or security of department of corrections personnel, the other witnesses, or other persons; or
- (ii) is likely to disrupt proceedings due to the witness's emotional or mental state."

And, as amended, do pass. Report adopted.

HB 115, introduced bill, be amended as follows:

1. Page 3, line 12.

Strike: "or"

2. Page 3, line 13.

Following: "commitment"

Insert: "of a person not referred to in subsection (1)(e)(iii)"

3. Page 3, line 15.

Following: "suspended;"

Insert: "or"

(iii) commitment of a youth transferred to district court under 41-5-206 and found guilty in the district court of an offense enumerated in 41-5-206 to the department of corrections for a period determined by the court for placement in an appropriate correctional facility or program;

4. Page 5, line 30.

Following: "sentence"

Insert: "if the court determines that the unconditional discharge is in the best interests of the probationer and society and will not present an unreasonable risk of danger to the victim of the offense and that the probationer has paid all court-ordered restitution and financial obligations"

5. Page 12, line 25.

Insert: "NEW SECTION. Section 14. Coordination instruction. If House Bill No. 81 and [this act] are both passed and approved and if both contain amendments to 46-18-201(1)(e), then the amendments to 46-18-201(1)(e) contained in House Bill No. 81 are void."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Ahner, Chairman):

1/20/1999

HB 91, introduced bill, be amended as follows:

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1. Page 1, line 23 through line 24.

Following: "means"

Strike: "the" on line 23 through "50-60-101" on line 24

Insert: ": (a) the area outside the limits of an incorporated municipality in which building code jurisdiction has been extended at the written request of a municipality prior to [the effective date of this act]; or
(b) the area outside the limits of an incorporated municipality in which a municipality proposes to extend its building code jurisdiction by means of a special mail ballot election as provided in 13-19-106 and [sections 1 through 4]"

And, as amended, do pass. Report adopted.

HB 123, do pass. Report adopted.

HB 151, do pass. Report adopted.

HB 192, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "MUST"

Insert: "MAY CONTRACT WITH A POLICE OFFICER TO"

2. Title, page 1, line 6.

Following: "REQUIREMENT"

Insert: "; AND PROVIDING FOR REASONABLE ATTORNEY FEES AND COSTS TO THE PREVAILING PARTY IN AN ACTION TO ENFORCE ANY PROVISION OF THE CONTRACT"

3. Page 1, line 12.

Following: "7-32-4107, the"

Strike: "officer agrees"

Insert: "city or town may require the officer to enter into a contract for reimbursement subject"

4. Page 1, line 13.

Following: "The"

Insert: "contract may require that the"

Strike: "must"

5. Page 1, line 16.

Following: "(3)"

Insert: "(a)"

Strike: "is"

Insert: "may be"

6. Page 1, following line 18.

Insert: "(b) For the purposes of this section, "total cost" means the cost of the officer's basic course training, salary, mileage, and expenses paid to the officer while the officer is in training."

7. Page 1, line 19.

Following: "The"

Insert: "contract may require that the"

Strike: "shall"

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8. Page 1, line 20.

Strike: "negotiated"

Insert: "contained in the contract"

9. Page 1, line 22.

Following: "to"

Insert: "in the contract"

10. Page 1, following line 26.

Insert: "(7) In an action brought to enforce any provision of a contract entered into under this section, the court shall award reasonable attorney fees and costs to the prevailing party."

And, as amended, do pass. Report adopted.

HB 212, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Strike: "TOBACCO-FREE OR"

2. Page 1, line 22.

Strike: "under its jurisdiction"

Insert: "maintained by it"

3. Page 1, line 23.

Strike: "tobacco-free or"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

1/19/1999

HB 36, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "STATE MILITARY FORCES"

Insert: "NATIONAL GUARD"

2. Page 1, line 13.

Strike: "militia"

Insert: "national guard"

3. Page 1, line 15.

Strike: "military forces"

Insert: "national guard"

Following: "members"

Strike: "of the national guard"

4. Page 1, line 20.

Strike: "military forces"

Insert: "national guard"

5. Page 1, line 22.

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Strike: "military forces"

Insert: "national guard"

6. Page 1, line 23.

Strike: "of the national guard"

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

JOINT SELECT COMMITTEE ON JOBS AND INCOME (DePratu, Chairman):

1/20/1999

HB 238, introduced bill, be amended as follows:

1. Title, line 8.

Following: "DUTIES"

Insert: "AND QUALIFICATIONS"

Strike: "QUALIFICATIONS" through "SPECIALISTS"

Insert: "THE DIRECTOR OF RESEARCH"

2. Title, lines 10 and 11.

Following: "STATE;"

Strike: "PROVIDING " on line 10 through "APPROPRIATION;" on line 11

Following: "PROVIDING" on line 11

Insert: "AN IMMEDIATE"

Following: "EFFECTIVE" on line 11

Strike: "DATES"

Insert: "DATE"

3. Page 1, line 15.

Following: "through"

Insert: "5 and 7 through"

4. Page 1, line 20.

Following: "enterprises,"

Insert: "to raise the existing wages, salaries, and business incomes and reduce the number of low-income or unemployed people in the state,"

5. Page 1, line 26.

Following: "business"

Insert: "and labor"

6. Page 2, line 2.

Following: "government,"

Insert: "tribal governments,"

7. Page 2, line 11.

Strike: "livable wage"

8. Page 2, line 12.

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Following: "jobs"

Insert: "that pay a wage higher than the average weekly wage, as defined in 39-71-116,"

Strike: "multiple-jobholders"

Insert: "people holding multiple jobs out of necessity"

9. Page 2, line 16.

Following: "small"

Insert: "basic"

10. Page 2, line 20.

Following: "of"

Insert: "existing and future"

11. Page 2, line 22.

Strike: "and"

12. Page 2, line 23.

Following: "agencies"

Insert: "; and"

(j) promote job training programs, including those that prepare Montana workers for new highway construction jobs made possible through the federal transportation budget0"

13. Page 2, line 25.

Following: "through"

Insert: "5 and 7 through"

14. Page 3.

Following: line 4

Insert: "(1) "Basic business" or "basic industry" means a business or industry that is responsible for injecting primarily new funds into Montana's economic base that are spent and respend in the state."

Renumber: subsequent subsections

15. Page 3, line 6.

Following: "Executive director"

Insert: "or "director of research"

Following: "means"

Strike: "the"

Insert: "a"

16. Page 3, line 7.

Following: "state"

Strike: ", "

Insert: "or"

Following: "local"

Strike: ", or"

Insert: "agencies, "

Following: "tribal"

Strike: "government agencies"

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Insert: "governments,"

17. Page 3, lines 10 and 11.

Strike: subsection (3) in its entirety

18. Page 3, line 15.

Strike: "15"

Insert: "7"

Strike: ", 13 of whom"

Insert: "who"

19. Page 3, lines 16 and 17.

Strike: "from" on line 16 through "(4)" on line 17

20. Page 3, line 17.

Strike: "30"

Insert: "45"

21. Page 3, lines 17 through 20.

Strike: "The" on line 17 through "house." on line 20

22. Page 3, line 22.

Strike: "and"

Insert: "or"

23. Page 3, line 23.

Following: "state"

Insert: "and its workers"

24. Page 3, line 25 through page 4, line 12.

Strike: subsection (4) in its entirety

Insert: "(4) The commission membership must include:

(a) one member who owns or represents a business;

(b) one member who represents production agriculture;

(c) one member who represents the advanced technology sector;

(d) one member who represents the manufacturing sector; (e) one member who represents an industry

that adds value to natural resources;

(f) one member who represents organized labor; and

(g) one member who has extensive experience in

research and commercialization."

25. Page 4, line 16.

Strike: "two" through "specialists"

Insert: "a director of research"

26. Page 4, line 17.

Strike: "program specialists'"

Insert: "director of research's"

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27. Page 4, line 22.

Strike: subsection (c) in its entirety

Insert: "(8) The commission may request additional members of the public to advise the business development committee provided for in [section 13] or the research and commercialization committee provided for in [section 11] if additional expertise is necessary to address a specific committee issue, including but not limited to advice on Indian culture and tribal economic issues. Members of the public serving as advisors to each committee are nonvoting members but may receive expenses, as provided in 2-18-501 through 2-18-503, for each day spent conducting official committee business."

Renumber: subsequent subsection

28. Page 4, line 26.

Strike: "once each quarter"

Insert: "bimonthly"

29. Page 4, line 27.

Strike: ", except legislative members,"

30. Page 4, line 28.

Strike: "\$100"

Insert: "\$50"

31. Page 5, line 1.

Strike: "program specialists"

Insert: "director of research"

32. Page 5, line 2.

Strike: "(1)" on line 2 through "commission." on line 20

Insert: "(1) The commission shall develop a job description and hire an executive director.

(2) The executive director is responsible for:

(a) managing commission staff;

(b) monitoring and updating business assistance strategies designed to encourage business expansion and job creation and for business recruitment programs;

(c) monitoring and promoting activities that increase the presence of Montana products in new and expanding markets;

(d) promoting and facilitating program strategies that add value to Montana products;

(e) developing a job description, for approval by the commission, for a director of research that is consistent with the purposes of [sections 11 and 12] and recommending for the commission's approval a qualified applicant to fill the position; and

(f) any additional responsibilities determined necessary and appropriate by the commission.

(3) The director of research is responsible for:

(a) documenting and monitoring grants approved by the commission for research and commercialization projects;

(b) reporting to the legislature and the governor about investments made in research and commercialization activities and developments and opportunities in diversified research areas; and

(c) any other responsibilities, including but not limited to research and commercialization responsibilities pursuant to [sections 11 and 12].

(4) The commission may hire additional staff as necessary within budgetary limitations."

33. Page 5, line 23.

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Following: "through"

Insert: "5 and 7 through"

34. Page 6, line 5.

Following: "Montana's"

Insert: "existing and future"

35. Page 6, line 19.

Strike: "and"

36. Page 6, line 20.

Following: "growth;"

Insert: "and

(iii) reports current trends in Montana's economy and its important sectors;"

37. Page 7, line 3.

Strike: "livable" through "Montana"

Insert: "Montanans holding jobs that pay wages above the average weekly wage as defined in 39-71-116"

38. Page 7, line 5.

Strike: "multiple jobholders"

Insert: "people"

Following: "state"

Insert: "holding multiple jobs out of necessity"

39. Page 7, line 18.

Strike: "Each" through "specialist."

Insert: "The business development committee must be served by the executive director, and the research and commercialization committee must be served by the director of research."

40. Page 8, line 5.

Strike: "program specialist"

Insert: "director of research"

41. Page 8, line 12 through line 13.

Strike: "There" on line 12 through "specialist." on line 13

Insert: "The director of research shall implement the rules and policies adopted by the research and commercialization committee."

42. Page 8, line 28.

Strike: "any"

Insert: "prioritized"

Following: "."

Insert: "At least 20% of the available research and commercialization investments must be directed toward projects that enhance production agriculture."

43. Page 8.

Following: line 30

Insert: "(6) Members of the commission may not apply for or receive research and commercialization grants. If

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a member of the commission is affiliated with an organization that applies to the commission for a research and commercialization grant, the member shall disclose the nature of the affiliation and may not participate in the decisionmaking process of the commission regarding the application."

44. Page 9, line 8.

Following: "opportunities"

Insert: "and that add to the state's economic base"

45. Page 9, line 22.

Strike: "program specialist"

Insert: "executive director"

46. Page 9, line 26.

Following: "that"

Insert: ": (i)"

47. Page 9, line 27.

Following: "time"

Insert: "; and

(ii) is oriented primarily toward adding value to Montana's economic base"

48. Page 9, line 28 through line 29.

Strike: "There" on line 28 through "specialist." on line 29

Insert: "The executive director shall implement the policies and programs developed by the business development committee."

49. Page 9, line 30.

Following: "shall"

Insert: ", consistent with the plan in subsection (1)"

50. Page 10, line 4.

Strike: "commission"

Insert: "committee"

51. Page 10, line 12.

Strike: "board"

Insert: "commission"

52. Page 11, line 22.

Following: "5-2-504"

Insert: "; (20) executive director and director of research of the Montana jobs and income commission"

53. Page 12, line 19.

Strike: "program specialists"

Insert: "director of research"

Following: "Montana"

Insert: "jobs and income"

Strike: "on jobs and income"

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54. Page 12, line 20.

Insert: "NEW SECTION. **Section 16. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell band of Chippewa."

Renumber: subsequent sections

55. Page 12, line 21.

Strike: "instruction."

Insert: "instructions. (1)"

Following: "through"

Insert: "5 and 7 through"

56. Page 12, line 23.

Following: "through"

Insert: "5 and 7 through"

57. Page 12.

Following: line 23

Insert: "(2) [Section 6] is intended to be codified as an integral part of Title 2, chapter 15, part 18, and the provisions of Title 2, chapter 15, part 18, apply to [section 6]."

58. Page 12, line 25 through page 13, line 3.

Strike: section 17 in its entirety

Insert: "NEW SECTION. **Section 18. Coordination instruction.** (1) If House Bill No. 252 is not passed and approved, [this act] is void on July 1, 1999.

(2) If House Bill No. 252 is passed and approved but does not contain an appropriation to the Montana jobs and income commission, [this act] is void on July 1, 1999."

Renumber: subsequent section

59. Page 13, lines 5 through 7

Following: "Effective"

Strike: "dates"

Insert: "date"

Following: "."

Strike: remainder of line 5 through "1999." on line 7

Insert: "[This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/19/1999

SB 21, introduced by Shea

SB 54, introduced by Halligan

SB 39, introduced by Taylor, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

1/19/1999

Yeas - 0

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Nays - 49

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 336, introduced by K. Gillan, R. Johnson, B. Krenzler, L. Soft, referred to Local Government.

HB 337, introduced by E. Bergsagel, J. Lynch, W. McNutt, J. Quilici, F. Thomas, B. Wilson, referred to Business and Labor.

HB 338, introduced by G. Masolo, C. Ahner, R. Dale, G. Golie, T. Hagener, S. Rose, referred to Local Government.

HB 339, introduced by P. Sliter, A. Ellis, referred to Judiciary.

HB 340, introduced by S. Anderson, referred to Natural Resources.

HB 341, introduced by R. Lenhart, P. Clark, G. Devlin, S. Doherty, D. Ewer, M. Halligan, R. Holden, S. Kitzenberg, R. Peck, B. Raney, B. Rehbein, J. Tropila, referred to Fish, Wildlife and Parks.

HB 342, introduced by B. Raney (by request of the Joint Select Committee on CI-75), referred to State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

SB 21, introduced by D. Shea (by request of the Department of Labor and Industry), referred to Business and Labor.

SB 54, introduced by M. Halligan (by request of the Department of Corrections), referred to Judiciary.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hibbard in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 52 - Representative Shockley moved **HB 52**, second reading copy, be amended as follows :

1. Title, line 7.

Following: "GUARD"

Insert: ", THE ACTIVE DUTY MILITARY FORCES, AND THE FEDERAL RESERVES"

2. Page 1, line 17.

Following: "to"

Insert: ":

(a)"

3. Page 1, line 20.

Following: "constitution"

Insert: ";

(b) a member of the active duty military forces of the United States; or

(c) a member of the federal reserves who serves for more than 180 continuous days on duty pursuant to Title 10 of the United States Code.

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(3) As used in this section, "federal reserves" means the United States air force reserve, army reserve, navy reserve, marine corps reserve, or coast guard reserve"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Fuchs, Krenzler.

Total 2

Excused: Curtiss.

Total 1

Absent or not voting: Stovall, Taylor.

Total 2

HB 52 - Representative Menahan moved **HB 52** do pass as amended. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Curtiss, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 3 - Representative Zook moved **HB 3** do pass. Motion carried as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 76

Noes: Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Cobb, Davies, Galvin-Halcro, Jackson, Jore, Kasten, Lawson, Mangan, Orr, Peck, Raney, Rehbein, Somerville, Tuss, Vick, Wagner, Wyatt.

Total 23

Voted Absentee: Curtiss, Aye.

Excused: None.

Total 0

Absent or not voting: Menahan.

Total 1

HB 41 - Representative Hagener moved **HB 41** do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Smith, Soft, Squires, Stovall, Swanson, Taylor, Tropila, Tuss, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 56

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Davies, Fisher, Fuchs, Grinde, Haines, Hedges, Holden, Jackson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Somerville, Story, Tash, Thomas, Trexler, Vick, Wagner, Walters, Witt.

Total 44

Voted Absentee: Curtiss, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 207 - Representative Johnson moved **HB 207** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson,

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Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 83

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Brown, E. Clark, R. Clark, Haines, Jackson, Jore, McGee, Molnar, Mood, Orr, Somerville, Wagner.

Total 16

Voted Absentee: Curtiss, Aye.

Excused: None.

Total 0

Absent or not voting: Eggers.

Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hibbard moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: R. Clark, Jore, Molnar, Rehbein.

Total 4

Excused: Curtiss.

Total 1

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 170 passed as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 98

Noes: Grinde, Jore.
Total 2

Voted Absentee: Curtiss, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 190 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 98

Noes: E. Bergsagel.
Total 1

Voted Absentee: Curtiss, Aye.

Excused: None.
Total 0

Absent or not voting: P. Clark.
Total 1

HB 215 passed as follows:

Ayes: J. Andersen, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau,

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Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Thomas, Trexler, Tropila, Tuss, Walters, Witt, Wyatt, Zook.

Total 72

Noes: Adams, Ahner, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brown, Cobb, Fuchs, Grinde, Hanson, Hedges, Jore, Kasten, Molnar, Mood, Noennig, Orr, Rehbein, Smith, Story, Tash, Taylor, Vick, Wagner, Younkin, Mr. Speaker.

Total 27

Voted Absentee: Curtiss, Aye.

Excused: None.

Total 0

Absent or not voting: Williams.

Total 1

MOTIONS

Representative Tropila requested his vote on the amendment for **HB 180** on Legislative Day 14 be changed from yes to no. Motion carried.

Representative Zook moved to refer **HB 69** to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Thursday, January 21, 1999. Motion carried.

House adjourned at 1:40 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
SIXTEENTH LEGISLATIVE DAY**

Helena, Montana
January 21, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Peck. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/21/1999
Correctly printed: **HB 64, HB 75, HB 91, HB 123, HB 125, HB 151, HB 192, HB 212, HB 229, HB 238, SB 17, SB 50.**
Correctly engrossed: **HB 3, HB 41, HB 52, HB 207.**

BUSINESS AND LABOR (Simon, Chairman): 1/20/1999
HB 154, introduced bill, be amended as follows:

1. Page 1, line 19.
Following: "customer,"
Strike: "concurrent"
Insert: "in conjunction"

And, as amended, do pass. Report adopted.

HB 156, introduced bill, be amended as follows:

1. Page 1, line 20.
Following: "limit"
Insert: "on or after January 1, 2000,"

And, as amended, do pass. Report adopted.

SB 4, be concurred in. Report adopted.

HUMAN SERVICES (Soft, Chairman): 1/19/1999
HB 266, introduced bill, be amended as follows:

1. Title, page 1, line 7.
Following: "LENSES;"
Insert: "REQUIRING THAT MANDATORY COVERAGE FOR INBORN ERRORS OF METABOLISM APPLY TO COVERAGE OF STATE AND LOCAL GOVERNMENT EMPLOYEES AND TO COVERAGE OFFERED BY MULTIPLE EMPLOYER WELFARE ARRANGEMENTS;"
Strike: "SECTION"
Insert: "SECTIONS 2-18-704,"
Following: "33-22-131,"
Insert: "AND 33-35-306,"

2. Page 1.

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Following: line 10

Insert: "Section 1. Section 2-18-704, MCA, is amended to read:

"2-18-704. Mandatory provisions. (1) An insurance contract or plan issued under this part must contain provisions that permit:

(a) the member of a group who retires from active service under the appropriate retirement provisions provided by law to remain a member of the group until the member becomes eligible for medicare under the federal Health Insurance for the Aged Act, 42 U.S.C. 1395, as amended, unless the member is a participant in another group plan with substantially the same or greater benefits at an equivalent cost or unless the member is employed and, by virtue of that employment, is eligible to participate in another group plan with substantially the same or greater benefits at an equivalent cost;

(b) the surviving spouse of a member to remain a member of the group as long as the spouse is eligible for retirement benefits accrued by the deceased member as provided by law unless the spouse is eligible for medicare under the federal Health Insurance for the Aged Act or unless the spouse has or is eligible for equivalent insurance coverage as provided in subsection (1)(a);

(c) the surviving children of a member to remain members of the group as long as they are eligible for retirement benefits accrued by the deceased member as provided by law unless they have equivalent coverage as provided in subsection (1)(a) or are eligible for insurance coverage by virtue of the employment of a surviving parent or legal guardian.

(2) An insurance contract or plan issued under this part must contain the provisions of subsection (1) for remaining a member of the group and also must permit:

(a) the spouse of a retired member the same rights as a surviving spouse under subsection (1)(b);

(b) the spouse of a retiring member to convert a group policy as provided in 33-22-508; and

(c) continued membership in the group by anyone eligible under the provisions of this section, notwithstanding the person's eligibility for medicare under the federal Health Insurance for the Aged Act.

(3) (a) A state insurance contract or plan must contain provisions that permit a legislator to remain a member of the state's group plan until the legislator becomes eligible for medicare under the federal Health Insurance for the Aged Act, 42 U.S.C. 1395, as amended, if the legislator:

(i) terminates service in the legislature and is a vested member of a state retirement system provided by law; and

(ii) notifies the department of administration in writing within 90 days of the end of the legislator's legislative term.

(b) A former legislator may not remain a member of the group plan under the provisions of subsection (3)(a) if the person:

(i) is a member of a plan with substantially the same or greater benefits at an equivalent cost; or

(ii) is employed and, by virtue of that employment, is eligible to participate in another group plan with substantially the same or greater benefits at an equivalent cost.

(c) A legislator who remains a member of the group under the provisions of subsection (3)(a) and subsequently terminates membership may not rejoin the group unless the person again serves as a legislator.

(4) (a) A state insurance contract or plan must contain provisions that permit continued membership in the state's group plan by a member of the judges' retirement system who leaves judicial office but continues to be an inactive vested member of the judges' retirement system as provided by 19-5-301. The judge shall notify the department of administration in writing within 90 days of the end of the judge's judicial service of the judge's choice to continue membership in the group plan.

(b) A former judge may not remain a member of the group plan under the provisions of this subsection (4) if the person:

(i) is a member of a plan with substantially the same or greater benefits at an equivalent cost;

(ii) is employed and, by virtue of that employment, is eligible to participate in another group plan with substantially the same or greater benefits at an equivalent cost; or

(iii) becomes eligible for medicare under the federal Health Insurance for the Aged Act, 42 U.S.C. 1395,

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as amended.

(c) A judge who remains a member of the group under the provisions of this subsection (4) and subsequently terminates membership may not rejoin the group plan unless the person again serves in a position covered by the state's group plan.

(5) A person electing to remain a member of the group under subsection (1), (2), (3), or (4) shall pay the full premium for coverage and for that of the person's covered dependents.

(6) An insurance contract or plan issued under this part that provides for the dispensing of prescription drugs by an out-of-state mail service pharmacy, as defined in 37-7-702:

(a) must permit any member of a group to obtain prescription drugs from a pharmacy located in Montana that is willing to match the price charged to the group or plan and to meet all terms and conditions, including the same professional requirements that are met by the mail service pharmacy for a drug, without financial penalty to the member; and

(b) may only be with an out-of-state mail service pharmacy that is registered with the board under Title 37, chapter 7, part 7, and that is registered in this state as a foreign corporation.

(7) An insurance contract or plan issued under this part must include coverage for treatment of inborn errors of metabolism, as provided for in 33-22-131."

Renumber: subsequent section

3. Page 2.

Following: line 10

Insert: "Section 3. Section 33-35-306, MCA, is amended to read:

"33-35-306. Application of insurance code to arrangements. (1) In addition to this chapter, self-funded multiple employer welfare arrangements are subject to the following provisions of Title 33:

(a) Title 33, chapter 1, part 4, but the examination of a self-funded multiple employer welfare arrangement is limited to those matters to which the arrangement is subject to regulation under this chapter;

(b) Title 33, chapter 1, part 7;

(c) 33-3-308;

(d) Title 33, chapter 18, except 33-18-242;

(e) 33-22-131, 33-22-134, and 33-22-135; and

(f) 33-22-525 and 33-22-526.

(2) Except as provided in this chapter, other provisions of Title 33 do not apply to a self-funded multiple employer welfare arrangement that has been issued a certificate of authority that has not been revoked."

Renumber: subsequent section

4. Page 2, line 13.

Following: "policies"

Insert: ",contracts, plans,"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

1/20/1999

HB 79, introduced bill, be amended as follows:

1. Title, page 1, line 28.

Following: the first "DATES"

Insert: ", AN APPLICABILITY PROVISION,"

2. Page 10, line 19.

Following: "beneficiary or"

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Strike: "a benefit"
Insert: "an annuity"

3. Page 12, line 27.
Following: "subsection (10)"
Insert: "(b)"

4. Page 17, line 26.
Following: "paid."
Insert: "For purposes of this section, an administrative expense does not include an expenditure of funds allocated under [section 41(1)(b) or (1)(c)] to the education fund established in [section 41(1)(a)] or an expenditure of funds appropriated specifically for the purposes of [section 41]."

5. Page 42, line 23.
Strike: "5"
Insert: "3"

6. Page 46, line 25 through line 26.
Strike: "directly" on line 25 through "and" on line 26

7. Page 46, line 26 through line 27.
Following: "board," on line 26
Strike: "a benefit" on line 26 through "retirement" on line 27
Insert: "an annuity similar to a"

8. Page 51, line 13.
Strike: first "and"
Following: "74"
Insert: ", and 75"

9. Page 51.
Following: line 19
Insert: "NEW SECTION. Section 74. Contract of employment --applicability. Contract rights of employment are not applicable with regard to the right to choose the defined contribution plan until the plan choice period begins. Contract rights of employment are not applicable with regard to rights in the defined contribution plan or the optional retirement program until the defined contribution plan or the optional retirement program is chosen."
Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 175, introduced bill, be amended as follows:

1. Title, page 1, line 6.
Following: "ADMINISTRATOR"
Insert: "OR TO THE SECRETARY OF STATE"

2. Page 2, line 10.
Following: "administrator"
Insert: "or by the secretary of state"

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3. Page 2, line 11.

Following: "administrator"

Insert: "or to the secretary of state"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/20/1999

SB 57, introduced by Stang

SB 58, introduced by Wells

SB 59, introduced by Wells

SB 60, introduced by Halligan

SB 65, introduced by Shea

SB 87, introduced by Hargrove

SB 91, introduced by Swysgood

SB 112, introduced by Franklin

SB 127, introduced by Waterman

SB 131, introduced by Swysgood

SB 158, introduced by Glaser

SB 179, introduced by Holden

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 343, introduced by B. Krenzler, T. Dell, K. Gillan, J. Hurdle, T. Schmidt, E. Swanson, referred to Taxation.

HB 344, introduced by B. Raney, J. Bohlinger, referred to Fish, Wildlife and Parks.

HB 345, introduced by B. Raney, S. Anderson, referred to Agriculture.

HB 346, introduced by B. Raney, referred to Natural Resources.

HB 347, introduced by J. Mercer, C. Ahner, S. Anderson, J. Barnett, S. Bookout-Reinicke, R. Brown, E. Clark, R. Clark, B. Crippen, R. Dale, B. DePratu, G. Devlin, D. Fuchs, D. Grimes, L. Grinde, D. Haines, M. Hanson, D. Hargrove, J. Harp, C. Hibbard, B. Keenan, D. Mahlum, G. Masolo, D. McGee, J. McKenney, D. Mood, K. Ohs, B. Pavlovich, S. Rose, P. Sliter, R. Somerville, J. Stovall, C. Swysgood, B. Tash, L. Taylor, B. Thomas, F. Thomas, C. Trexler, J. Witt, referred to Appropriations.

HB 348, introduced by T. Facey, M. Halligan, L. McCulloch, referred to Education.

HB 349, introduced by B. Thomas, R. Dale, B. Davies, T. Hagener, D. Haines, G. Masolo, J. Witt, referred to State Administration.

HB 350, introduced by M. Brainard, referred to State Administration.

HB 351, introduced by M. Brainard, referred to Local Government.

HB 352, introduced by M. Brainard, L. Grinde, P. Sliter, B. Story, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Pavlovich in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 6 - Representative Mood moved **HJR 6** be adopted. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, Barnhart, Buzzas, Johnson, Jore, Orr, Smith.

Total 7

Excused: None.

Total 0

Absent or not voting: Bitney, McCann.

Total 2

HJR 9 - Representative Tuss moved **HJR 9** be adopted. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Dell, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Sliter, Smith, Soft, Squires, Story, Swanson, Tash, Taylor, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 65

Noes: Adams, Ahner, Barnett, Barnhart, P. Bergsagel, Brainard, Brown, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Grinde, Holden, Jackson, Johnson, Jore, Lawson, McGee, Molnar, Orr, Raney, Rehbein, Shockley, Simon, Somerville, Thomas, Trexler, Vick, Wagner, Walters.

Total 34

Excused: None.

Total 0

Absent or not voting: Stovall.

Total 1

HB 237 - Representative Swanson moved **HB 237** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Fisher, Fuchs, Gallus,

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Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: P. Bergsagel, Brainard, Davies, Ewer, Facey, Hurdle, Jore, Kasten, Orr, Smith, Vick, Wyatt.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 238 - Representative Ohs moved **HB 238** do pass.

HB 238- Representative Rose moved for cloture. Motion, requiring two-thirds vote, failed as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Facey, Fisher, Fuchs, Gallus, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Jackson, Jore, Kasten, Kitzenberg, Krenzler, Masolo, Menahan, Molnar, Mood, Ohs, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Shockley, Smith, Somerville, Story, Swanson, Thomas, Trexler, Vick, Walters, Younkin.

Total 50

Noes: Ahner, Barnhart, Beck, Buzzas, P. Clark, Cobb, Davies, Dell, Eggers, Erickson, Ewer, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Harper, Holden, Hurdle, Johnson, Juneau, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Noennig, Orr, Raney, Schmidt, Simon, Sliter, Soft, Squires, Stovall, Tash, Taylor, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Zook.

Total 49

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

Thereupon, the House reverted to the original motion of Representative Ohs for further discussion.

Representative Brainard called for the previous question. Motion carried.

HB 238 failed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, R. Clark, Curtiss, Dale, Fisher, Fuchs, Grinde, Hanson, Harrington, Hedges, Hibbard, Jackson, Kasten, Kitzenberg, Krenzler, Lawson, Masolo, McGee, McKenney, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose,

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Shockley, Simon, Sliter, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tuss, Younkin, Zook, Mr. Speaker.

Total 49

Noes: Adams, Barnhart, Beck, P. Bergsagel, Buzzas, E. Clark, P. Clark, Cobb, Davies, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Holden, Hurdle, Johnson, Jore, Juneau, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Molnar, Orr, Peck, Raney, Ryan, Schmidt, Smith, Soft, Squires, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Pavlovich moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Wyatt, Younkin, Zook.

Total 82

Noes: Barnett, Brainard, Dale, Davies, Fuchs, Hurdle, Mood, Ohs, Rehbein, Simon, Sliter, Vick.

Total 12

Excused: None.

Total 0

Absent or not voting: Buzzas, Gallus, Gutsche, Krenzler, Witt, Mr. Speaker.

Total 6

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Friday, January 22, 1999. Motion carried.

House adjourned at 3:10 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
SEVENTEENTH LEGISLATIVE DAY**

Helena, Montana
January 22, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Rose. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Fisher. Quorum present.

Mr. Speaker introduced the pages of the week:

Alyssa Barnett, Belgrade
Kelsy Cooper, Willow Creek
Philip Downer, Big Sky
Daylen Dupuis, Polson
Havilah Murphy, Big Arm
Jeremy Olson, Columbia Falls
Becky Owen, Polson
Erica Pribyl, Great Falls
Rick Prigge, Butte
Jennifer Retterath, Belgrade

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fourteenth, fifteenth, and sixteenth legislative days, find the same to be correct.

Rehbein, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/22/1999
Correctly printed: **HB 79, HB 154, HB 156, HB 167, HB 175, HB 266, SB 4.**
Correctly engrossed: **HB 237, HJR 6, HJR 9.**

EDUCATION (Masolo, Chairman): 1/21/1999
HB 145, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "ANNUAL"

2. Page 1, line 13.
Following: "a"
Insert: "one-time"
Strike: "\$3,000"
Insert: "\$5,000"

3. Page 1, line 14.
Strike: "annually"

4. Page 1, line 16.
Strike: "or of"

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5. Page 1, line 17.

Following: "20-7-451"

Insert: ", or the Montana school for the deaf and blind, as described in 20-8-101"

6. Page 1, line 22 through line 24.

Strike: "The" on line 22 through "(1)." on line 24

And, as amended, do pass. Report adopted.

HB 220, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Wagner, Chairman):

1/22/1999

HB 20, introduced bill, be amended as follows:

1. Page 1, line 26.

Following: "section"

Strike: "2"

Insert: "1"

2. Page 1, line 26.

Following: "."

Insert: "It is intended that the hatchery be constructed in stages as revenue becomes available in the warm water game fish account established in [section 1 of LC 78]."

And, as amended, do pass. Report adopted.

HJR 4, introduced joint resolution, be amended as follows:

1. Page 2, line 27.

Following: "bears"

Strike: "and all animals"

And, as amended, be adopted. Report adopted.

JUDICIARY (Clark, Chairman):

1/21/1999

HB 59, do pass. Report adopted.

HB 77, introduced bill, be amended as follows:

1. Page 1, line 20.

Strike: "double-occupant"

2. Page 1, line 21.

Following: "house"

Insert: "two or more"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):

1/22/1999

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HB 120, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "ACT"

Strike: "REMOVING"

Insert: "REVISING"

2. Page 2, line 2.

Following: "conservation."

Insert: "The board may use a maximum of 2.5% of the amount of a grant for administrative costs associated with implementing the projects covered in the grant."

And, as amended, do pass. Report adopted.

RULES (Grinde, Chairman):

1/22/1999

SJR 1, be concurred in. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

1/21/1999

HB 66, do pass. Report adopted.

HB 83, do pass. Report adopted.

HB 194, do pass. Report adopted.

HB 197, do pass. Report adopted.

HB 198, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/21/1999

SB 13, introduced by McNutt

SB 116, introduced by Glaser

SB 122, introduced by Beck

SB 124, introduced by Beck

SB 167, introduced by Tester

SB 168, introduced by Grosfield

SB 169, introduced by Taylor

SB 190, introduced by Halligan

SB 191, introduced by Jabs

SB 196, introduced by Mesaros

SB 201, introduced by McNutt

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 353, introduced by B. Tash, K. Ohs, C. Younkin, referred to Business and Labor.

HB 354, introduced by M. Lindeen, S. Bookout-Reinicke, T. Dell, R. Lenhart, J. Mangan, B. Raney, B. Ryan, referred to Business and Labor.

HB 355, introduced by L. Taylor, S. Bookout-Reinicke, T. Dell, M. Hanson, R. Jabs, R. Lenhart, M. Lindeen,

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J. Mangan, B. Raney, B. Ryan, referred to Business and Labor.

HB 356, introduced by K. Gillan, T. Facey, L. Nelson, referred to Transportation.

HB 357, introduced by J. Cobb, referred to Judiciary.

HB 358, introduced by B. Barnhart, M. Waterman, referred to Taxation.

HB 359, introduced by B. Barnhart, referred to State Administration.

HB 360, introduced by R. Clark, M. Cole, referred to Judiciary.

MOTIONS

Representative Swanson moved to reconsider **HB 238**. Motion carried as followed:

Ayes: Ahner, J. Andersen, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Dell, Fuchs, Gallus, Grinde, Guggenheim, Hagener, Hanson, Harrington, Hedges, Hibbard, Jackson, Kasten, Kitzenberg, Krenzler, Lawson, Masolo, McGee, McKenney, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tuss, Wagner, Walters, Witt, Wyatt, Zook, Mr. Speaker.

Total 53

Noes: Adams, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Buzzas, P. Clark, Cobb, Davies, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harper, Holden, Hurdle, Johnson, Jore, Juneau, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Molnar, Orr, Peck, Raney, Ryan, Schmidt, Smith, Soft, Squires, Tropila, Vick, Williams, Younkin.

Total 46

Excused: Fisher.

Total 1

Absent or not voting: None.

Total 0

Representative Ohs moved to rerefer **HB 238** to the Committee on Appropriations. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McGee in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 176 - Representative Bergsagel moved consideration of **HB 176** be placed at the bottom of the second reading board for the purpose of adding an amendment. Motion carried.

HB 255 - Representative Anderson moved **HB 255** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson,

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Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: Brainard, Eggers, Hagener, Lawson, Molnar, Wagner.
Total 6

Voted Absentee: Fisher, Aye.

Excused: None.
Total 0

Absent or not voting: Cobb, Pavlovich.
Total 2

HB 90 - Representative Hagener moved **HB 90** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: Adams, Jore, Orr, Story, Taylor.
Total 5

Voted Absentee: Fisher, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 70 - Representative Hurdle moved **HB 70** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan,

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Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Fisher, Aye.

Excused: None.

Total 0

Absent or not voting: Harrington, Mangan.

Total 2

HB 85 - Representative Simon moved **HB 85** do pass.

HB 85 - Representative Hibbard moved **HB 85**, second reading copy, be amended as follows :

1. Title, page 1, line 5.

Strike: "USE OF CERTAIN DRUGS AND FOR THE"

2. Page 1, line 27.

Following: "~~topical~~"

Insert: "topical"

Amendment failed as follows:

Ayes: Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, P. Clark, R. Clark, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Guggenheim, Gutsche, Hanson, Harper, Harrington, Hibbard, Hurdle, Juneau, Kasten, Krenzler, Mangan, Matthews, McGee, Pavlovich, Peck, Ryan, Schmidt, Sliter, Smith, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Wyatt, Zook, Mr. Speaker.

Total 41

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brainard, Brown, E. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fuchs, Gillan, Golie, Grinde, Hagener, Haines, Hedges, Holden, Jackson, Johnson, Jore, Kitzenberg, Lawson, Lenhart, Lindeen, Masolo, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Quilici, Raney, Rehbein, Rose, Shockley, Simon, Soft, Somerville, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin.

Total 58

Excused: Fisher.

Total 1

Absent or not voting: None.

Total 0

Motion that **HB 85** do pass carried as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brainard, Brown, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Story, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Mr. Speaker.

Total 82

Noes: Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, R. Clark, Facey, Guggenheim, Hanson, Matthews, Peck, Ryan, Sliter, Squires, Stovall, Wyatt, Zook.

Total 17

Voted Absentee: Fisher, Aye.

Excused: None.

Total 0

Absent or not voting: Swanson.

Total 1

HB 58 - Representative Younkin moved **HB 58** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Fisher, Aye.

Excused: None.

Total 0

Absent or not voting: Cobb.

Total 1

HB 95 - Representative Story moved **HB 95** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines,

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Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Brainard, Curtiss, Wagner.
Total 3

Voted Absentee: Fisher, Aye.

Excused: None.
Total 0

Absent or not voting: Pavlovich.
Total 1

HB 172 - Representative Hibbard moved **HB 172** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: Adams, P. Bergsagel, Jore, Orr.
Total 4

Voted Absentee: Fisher, Aye.

Excused: None.
Total 0

Absent or not voting: Walters.
Total 1

HB 187 - Representative Tropila moved **HB 187** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan,

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Total 98

Noes: None.

Total 0

Voted Absentee: Fisher, Aye.

Excused: None.

Total 0

Absent or not voting: Fuchs, McKenney.

Total 2

HB 176 - Representative E. Bergsagel moved **HB 176** do pass.

HB 176 - Representative Bergsagel moved **HB 176**, second reading copy, be amended as follows :

1. Page 7, line 19.

Strike: "subsection"

Insert: "subsections (4) and"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Beck, Juneau.

Total 2

Excused: Fisher.

Total 1

Absent or not voting: None.

Total 0

Motion that **HB 176** do pass as amended carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim,

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Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: Jore.

Total 1

Voted Absentee: Fisher, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McGee moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: P. Bergsagel.

Total 1

Excused: Fisher.

Total 1

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 3 passed as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 80

Noes: E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Cobb, Curtiss, Jackson, Jore, Kasten, Lawson, Mangan, McCann, Orr, Peck, Rehbein, Somerville, Tuss, Vick, Wagner.

Total 20

Voted Absentee: Fisher, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 41 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 80

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, Brown, Curtiss, Davies, Jackson, Jore, Kasten, McKenney, Molnar, Orr, Rehbein, Simon, Somerville, Story, Vick, Wagner.

Total 20

Voted Absentee: Fisher, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 207 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle,

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Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 85

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, E. Clark, R. Clark, Curtiss, Grinde, Jackson, Jore, McGee, Molnar, Orr, Somerville, Wagner.

Total 15

Voted Absentee: Fisher, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 180 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Barnhart, Galvin-Halcro, Jore, Orr, Squires, Wyatt.

Total 6

Voted Absentee: Fisher, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 52 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney,

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Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Fisher, Aye.

Excused: None.

Total 0

Absent or not voting: Shockley.

Total 1

MOTIONS

Representative Simon moved that **HB 352** be taken from the Committee on Business and Labor and rereferred to the Committee on Transportation. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 8:00 a.m., Saturday, January 23, 1999. Motion carried.

House adjourned at 2:40 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
EIGHTEENTH LEGISLATIVE DAY**

Helena, Montana
January 23, 1999

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative E. Clark. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Curtiss, Ewer, Fisher, Johnson, Soft, and Swanson. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/23/1999
Correctly printed: **HB 20, HB 59, HB 66, HB 77, HB 83, HB 120, HB 145, HB 194, HB 197, HB 198, HB 220, HJR 4, SJR 1.**
Correctly engrossed: **HB 58, HB 70, HB 85, HB 90, HB 95, HB 172, HB 176, HB 187, HB 255.**

AGRICULTURE (Barnett, Chairman): 1/22/1999
HB 254, introduced bill, be amended as follows:

1. Page 1, line 25.
Strike: "comparable"
Insert: "compatible"

And, as amended, do pass. Report adopted.

HB 284, do pass. Report adopted.

APPROPRIATIONS (Zook, Chairman): 1/22/1999
HB 69, introduced bill, be amended as follows:

1. Title, line 6.
Following: "SECTIONS"
Insert: "3-7-204, 3-7-222, 3-7-302,"

2. Title, page 1, line 7.
Strike: "15-36-326," and "20-9-104," on page 1, line 7

3. Title, page 1, line 8.
Strike: "20-9-161," on page 1, line 8 through "20-9-507," on page 1, line 8

4. Title, line 8, through line 9.
Strike: "23-7-301," through "23-7-402," on line 9

5. Title, line 10.
Following: "80-2-103,"
Insert: "85-2-123, 85-2-213, 85-2-225, 85-2-232,"

6. Title, page 1, line 11.

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Strike: "15-36-325"

Insert: "85-2-241"

7. Page 1, line 15.

Following: line 14

Insert: "Section 1. Section 3-7-204, MCA, is amended to read:

"3-7-204. Supervision and administration by supreme court. (1) The Montana supreme court shall supervise the activities of the water judges, water masters, and associated personnel in implementing this chapter and Title 85, chapter 2, part 2.

(2) The supreme court shall pay the expenses of the water judges and the salaries and expenses of the water judges' staffs and the salaries and expenses of the water masters and the water masters' staffs, from ~~the water right adjudication account established by 85-2-241~~ appropriations made for that purpose. "Salaries and expenses" as used in this section include but are not limited to the salaries and expenses of personnel, the cost of office equipment and office space, and ~~such~~ other necessary expenses ~~as that~~ may be incurred in the administration of this chapter and Title 85, chapter 2, part 2."

Insert: "Section 2. Section 3-7-222, MCA, is amended to read:

"3-7-222. Salary -- office space. (1) The chief water judge is entitled to receive the same salary and expense allowance as provided for district judges in 3-5-211.

(2) The office of the chief water judge ~~shall~~ must be at the location that the chief justice of the Montana supreme court shall designate. The Montana supreme court shall provide in its budget for the salary, expenses, and office and staff requirements of the chief water judge, which money may be appropriated by the legislature from the ~~water right adjudication account~~ general fund."

Insert: "Section 3. Section 3-7-302, MCA, is amended to read:

"3-7-302. Salary, expenses, and retirement of water masters. (1) The water judges shall set a uniform salary for water masters. Water masters ~~shall~~ must receive expenses as provided in 2-18-501 through 2-18-503.

(2) A water master shall participate in the Montana Public Employees' Retirement System established in Title 19, chapter 3.

~~(3) The salary and expenses of a water master shall be paid from the water right adjudication account established in 85-2-241."~~

Renumber: subsequent sections

8. Page 7, line 11 through line 22.

Strike: Section 6 in its entirety

Renumber: subsequent sections

9. Page 11, line 29.

Following: "~~15-36-325;~~"

Insert: "15-36-325;"

10. Page 12, line 3.

Following: "~~23-7-402;~~"

Insert: "23-7-301; 23-7-402;"

11. Page 12, line 27.

Following: "~~15-36-325;~~"

Insert: "15-36-325;"

12. Page 13, line 1.

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Following: "~~23-7-402;~~"

Insert: "23-7-301; 23-7-402;"

13. Page 14, line 5 through page 21, line 2.

Strike: Sections 12 through 17 in their entirety

Renumber: subsequent sections

14. Page 22, line 12 through page 24, line 16.

Strike: section 21 through section 22 in their entirety

Renumber: subsequent sections

15. Page 28, lines 18 through 20.

Following: "499." on line 18

Strike: "Expenditures" on line 18 through "purpose." on line 20

16. Page 28, line 21.

Insert: "**Section 26.** Section 85-2-123, MCA, is amended to read:

"85-2-123. Deposit of fees and penalties. Except as provided in 85-2-124 ~~and 85-2-241~~, all fees and penalties collected under this chapter ~~shall~~ must be deposited in the water right appropriation account established in 85-2-318. Except for fines collected by a district court under 85-2-122, all penalties or fines imposed by any court other than a justice's court for a violation of this chapter ~~shall~~ must be deposited in the general fund of the county where the court presides and ~~shall~~ must be disposed of in the same manner as any other penalty or fine."

Insert: "**Section 27.** Section 85-2-213, MCA, is amended to read:

"85-2-213. Notice of order --additional filing period. (†) To ~~assure~~ ensure that all persons who may claim an existing water right are notified of the requirement to file a claim of that right, the Montana supreme court shall give notice of the order as follows:

~~(a)(1)~~ It shall cause the order, printed in not less than 10-point type, to be placed in a prominent and conspicuous place in all daily newspapers of the state and in at least one newspaper published in each county of the state within 30 days after the Montana supreme court order as provided in 85-2-212 ~~and in April of 1980, 1981, 1982, and 1983.~~

~~(b)(2)~~ It shall cause the order, in writing, to be placed in a prominent and conspicuous location in each county courthouse in the state within 30 days after the Montana supreme court order as provided in 85-2-212.

~~(c)~~ It shall ~~provide a sufficient number of copies of the order to the county treasurers before October 15, 1979, 1980, 1981, and 1982, and the county treasurers shall enclose a copy of the order with each statement of property taxes mailed in 1979, 1980, 1981, and 1982. In the implementation of this subsection, the department shall provide reimbursement to each county treasurer for the reasonable additional costs incurred by the treasurer arising from the inclusion of the order required by this section. The department shall be reimbursed for such costs from the water right adjudication account created by 85-2-241.~~

~~(d)(3)~~ It shall provide copies of the order, in writing, to the press services with offices located in Helena within 30 days after the Montana supreme court order as provided in 85-2-212, ~~and in April of 1980, 1981, 1982, and 1983.~~

~~(e)(4)~~ It shall, under authority granted to the states by 43 U.S.C. 666, provide for service of the petition and order upon the United States attorney general or ~~his~~ the attorney general's designated representative.

~~(f)(5)~~ It may also in its discretion give notice of the order in any other manner that will carry out the purposes of this section.

~~(g)(6)~~ It may also in its discretion order that the department or the water judge assist the Montana supreme court in ~~the~~ carrying out of this section.

~~(2) (a) To ensure that all persons who failed to file a claim of existing right under 85-2-221(1) are provided~~

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notice of the opportunity to file a claim on or before July 1, 1996, as provided in 85-2-221(3), the department shall provide notice as follows:

~~(i) It shall, in October 1993, April and October 1994, April and October 1995, and April 1996, cause a notice of the right to file a claim in accordance with 85-2-221(3) to be published in all daily newspapers in the state and in at least one newspaper in each county in the state.~~

~~(ii) It shall, in October 1993, April and October 1994, April and October 1995, and April 1996, provide copies of the notice, in writing, to the press services with offices located in Helena.~~

~~(iii) It shall, by October 1993, provide copies of the notice to the United States attorney general and to all Indian tribes in Montana.~~

~~(iv) It shall cause copies of the notice to be posted in a conspicuous location in each county courthouse and department field office in the state and to be maintained in that location through July 1, 1996.~~

~~(v) It may also, in its discretion, provide notice in any other manner that will effectuate the purposes of 85-2-221(3).~~

~~(b) The water court shall include notice of 85-2-221(3) in all notices, decrees, or orders issued pursuant to 85-2-231 or 85-2-232 after July 1, 1993, until July 1, 1996.~~

~~(3) Notice given in accordance with subsection (2) must at a minimum indicate that any claim of existing right not filed with the department before April 30, 1982, may be filed by physically filing it with the department on or before July 1, 1996, or sending it by United States mail, postmarked on or before July 1, 1996. Additionally, the notice must indicate that under 85-2-226, a failure to file or mail the claim results in the forfeiture for all time of any existing rights to the use of water that are not claimed in accordance with the provisions of 85-2-221."~~

Insert: "Section 28. Section 85-2-225, MCA, is amended to read:

"85-2-225. Filing fee -- processing fee for remitted claims. (1) Each claim filed under 85-2-221 or 85-2-222 must be accompanied by a filing fee in the amount of \$40, subject to the following exceptions:

(a) the total filing fees for all claims filed by one person in any one water court division may not exceed \$480; and

(b) ~~no~~ a filing fee is not required accompanying a claim of an existing right that is included in a decree of a court in the state of Montana and that is accompanied by a copy of that decree or pertinent portion ~~thereof~~ of the decree.

(2) A claim that is exempt from the filing requirements of 85-2-221(1) but that is voluntarily filed must be accompanied by a filing fee in the amount of \$40. Exempt claims for a single development with several uses if filed simultaneously may be accompanied by a filing fee in the amount of \$40.

(3) (a) Except as provided in subsection (3)(c), in addition to the filing fee set forth in subsection (1), each statement of claim filed under 85-2-221(3) must be accompanied by a processing fee in the amount of \$150, which must be deposited in the ~~water rights adjudication account for the examination of late claims by the department and for the publication of notices by the department as required under 85-2-213(2)~~ general fund.

(b) The water judge shall assess against the late claimant all reasonable administrative costs and expenses that may be incurred by the court due to the filing of the late claim and the consideration of the objection, which assessment must be deposited in the ~~water rights adjudication account~~ general fund.

(c) ~~For a statement of claim that was filed after April 30, 1982, but prior to July 1, 1993, or for a statement of claim filed by a state agency, the processing fee provided for in subsection (3)(a) must be paid on or before a date to be established by the department by rule, but no later than July 1, 1999."~~

Insert: "Section 29. Section 85-2-232, MCA, is amended to read:

"85-2-232. Availability of temporary preliminary or preliminary decree. (1) (a) The water judge shall send to the department a copy of a temporary preliminary decree or preliminary decree issued for a basin.

(b) The water judge shall serve by mail a notice of availability of the temporary preliminary decree or preliminary decree to each person who has filed a claim of existing right within the decreed basin or to that person's successor as documented in the department's records.

(c) The water judge shall also serve by mail a notice of availability of the temporary preliminary decree

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or preliminary decree to the purchaser under contract for deed, as defined in 70-20-115, of property in connection with which a claim of existing right has been filed within the decreed basin.

(d) In the Powder River basin, the water judge shall serve by mail a notice of availability of the temporary preliminary decree or preliminary decree to each person or to that person's successor as documented in the department's records, who has filed a declaration of an existing right.

(e) The water judge shall enclose with a notice required under subsections (1)(b) through (1)(d) an abstract of the disposition of the claimed or declared existing right of a person identified in this section or that person's successor as documented in the department's records.

(f) The notice of availability required under this section must also be served upon:

(i) those issued or having applied for and not having been denied a permit to beneficially use water within the decreed basin pursuant to Title 85, chapter 2, part 3;

(ii) those granted a reservation within the decreed basin pursuant to 85-2-316; or

(iii) other interested persons who request service of the notice from the water judge.

(2) The clerk or person designated by the water judge to mail the notice shall make a general certificate of mailing certifying that a copy of the notice has been placed in the United States mail, postage prepaid, addressed to each party required to be served notice of the temporary preliminary decree or preliminary decree. The certificate is conclusive evidence of legal notice of entry of decree.

(3) Notice of the availability of a preliminary decree must also be published at least once each week for 3 consecutive weeks in at least three newspapers of general circulation that cover the water division or divisions in which the decreed basin is located. This notice must be provided before the final decree for the basin is issued.

(4) A person may obtain a copy of the temporary preliminary decree or preliminary decree upon payment of a fee of \$20 or the cost of printing, whichever is greater, to the water judge. The fee must be deposited in the state general fund."

Renumber: subsequent sections

17. Page 32, line 10.

Strike: "15-36-325"

Insert: "85-2-241 "

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Simon, Chairman):

1/22/1999

HB 98, introduced bill, be amended as follows:

1. Page 1, line 15.

Following: "dealer"

Insert: "or a manufactured housing dealer"

Following: "home"

Insert: "or a manufactured house"

2. Page 1, line 19.

Strike: "building that is not a residence and is"

3. Page 1, line 20.

Following: "systems"

Strike: " ; "

Insert: ". For the purposes of this subsection (1)(c), a "farm or ranch" means the same as in 39-3-402."

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4. Page 2, line 13 and line 14.

Strike: "performing" on line 13 through "work" on line 14

Insert: "working at the field of plumbing"

And, as amended, do pass. Report adopted.

HB 136, introduced bill, be amended as follows:

1. Title, line 5 and line 6.

Following: the second "ACT" on line 5

Strike: the remainder of line 5 through "ASSOCIATION;" on line 6

2. Title, page 1, line 13.

Following: "BOARD;"

Insert: "PROVIDING A NOTIFICATION REQUIREMENT FOR HEALTH MAINTENANCE ORGANIZATIONS;"

3. Title, page 1, line 15.

Following: "ASSOCIATION;"

Strike: "AND"

4. Title, page 1, line 16.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

5. Page 3, line 23 and line 24.

Following: "societies,"

Strike: "health maintenance organizations."

6. Page 4, line 18 and line 19.

Following: "contracts"

Strike: the remainder of line 18 through "agreements." on line 19

7. Page 11, following line 22.

Insert: "NEW SECTION. Section 8. Effective date. [This act] is effective July 1, 1999."

And, as amended, do pass. Report adopted.

HB 155, introduced bill, be amended as follows:

1. Title, line 7 and line 8.

Following: "INSURED;" on line 7

Strike: "AND"

Following: "AMENDING" on line 7

Strike: "SECTION 33-18-210" on line 7 and line 8

Insert: "SECTIONS 33-15-1103 AND 33-15-1105"

Following: "MCA"

Insert: "; AND PROVIDING AN APPLICABILITY DATE"

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2. Page 1, line 12 through line 28 on page 3.

Strike: section 1 in its entirety

Insert: "Section 1. Section 33-15-1103, MCA, is amended to read:

"33-15-1103. Midterm cancellation. (1) An insurer may not cancel an insurance policy before either the expiration of the agreed term or 1 year from the effective date of the policy or renewal date, whichever is less, except:

- (a) for reasons specifically allowed by statute;
- (b) for failure to pay a premium when due; or
- (c) on grounds stated in the policy which pertain to the following:
 - (i) material misrepresentation;
 - (ii) substantial change in the risk assumed, except to the extent that the insurer should reasonably have foreseen the change or contemplated the risk when the contract was written;
 - (iii) substantial breaches of contractual duties, conditions, or warranties;
 - (iv) determination by the commissioner that continuation of the policy would place the insurer in violation of this code;

- (v) financial impairment of the insurer; or
 - (vi) any other reason approved by the commissioner.

(2) Cancellation under subsection (1) is not effective until 10 days after a notice of cancellation is either delivered or mailed to the insured.

(3) Subsections (1) and (2) do not apply to a newly issued insurance policy if the policy has been in effect less than 60 days at the time the notice of cancellation is mailed or delivered. No cancellation under this subsection is effective until 10 days after the notice is delivered or mailed to the insured.

(4) If a policy has been issued for a term longer than 1 year and if either the premium is prepaid or an agreed term is guaranteed for additional premium consideration, the insurer may not cancel the policy except:

- (a) for reasons specifically allowed by statute;
- (b) for failure to pay a premium when due; or
- (c) on grounds stated in the policy which pertain to those grounds listed in subsection (1)(c).

(5) An insurer may not cancel a property, casualty, or surety insurance policy on the basis of a single loss occurring during the policy period unless the insurer has previously disclosed in writing to the insured, at the time that the insured applied for the insurance or prior to the insured's renewal, that a single loss is among the insurer's criteria for cancellation."

Insert: "Section 2. Section 33-15-1105, MCA, is amended to read:

"33-15-1105. Nonrenewal -- renewal premium. (1) (a) An insured has a right to reasonable notice of nonrenewal. Unless otherwise provided by statute or unless a longer term is provided in the policy, at least 30 days prior to the expiration date provided in the policy, an insurer who does not intend to renew a policy beyond the agreed expiration date shall mail or deliver to the insured a notice of such intention. The insurer shall also mail or deliver a copy to the insured's insurance producer.

(b) Notification or nonrenewal to the insured's insurance producer via electronic transfer of data or by electronic data retrieval device meets the requirement of a mailed or delivered copy.

(2) An insurer shall give notice of premium due not more than 60 days or less than 10 days before the due date of a renewal premium. The notice must clearly state the effect of nonpayment of the premium on or before the due date.

(3) Subsections (1) and (2) do not apply if:

- (a) the insured has obtained insurance elsewhere, has accepted replacement coverage, or has requested or agreed to nonrenewal; or

- (b) the policy is expressly designated as nonrenewable.

(4) An insurer may not refuse to renew a property, casualty, or surety insurance policy on the basis of a single loss occurring during the policy period unless the insurer has previously disclosed in writing to the insured, at the time that the insured applied for the insurance or prior to the insured's renewal, that a single loss is among

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the insurer's criteria for nonrenewal."

Insert: "NEW SECTION. Section 3. Applicability. [This act] applies to new or renewed property, casualty, or surety insurance policies in effect on or after January 1, 2000."

And, as amended, do pass. Report adopted.

HB 186, do pass. Report adopted.

HB 216, introduced bill, be amended as follows:

1. Title, line 4.

Following: "PLAY"

Strike: "ANY GAME"

Insert: "THE GAME OF PING PONG PAVVY,"

2. Page 1, line 13 and line 14.

Following: "allowable" on line 13

Strike: "similar" on line 13 through "games" on line 14

Insert: "game"

3. Page 1, line 20.

Following: "play"

Strike: "a game, including"

Insert: "the game called ping pong pavvy and"

And, as amended, do pass. Report adopted.

HB 264, introduced bill, be amended as follows:

1. Page 9, line 23 and line 24.

Following: "issue" on line 23

Strike: "or the increase in the number of shares that it will have authority to issue,"

2. Page 10, line 8.

Following: "(3)"

Insert: "If the domestic corporation is increasing the number of authorized shares either by amendment or by merger, the domestic corporation shall pay the difference in license fee between the fee based on the initial number of authorized shares and the amended number of shares.

(4)"

And, as amended, do pass. Report adopted.

HB 277, do pass. Report adopted.

SB 26, be concurred in. Report adopted.

SB 51, be concurred in. Report adopted.

FISH, WILDLIFE AND PARKS (Wagner, Chairman):

1/22/1999

HB 26, introduced bill, be amended as follows:

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1. Title, line 5.

Following: "FISH"

Strike: "THROUGHOUT THE STATE"

Insert: "IN DESIGNATED WATERS"

2. Title, page 1, line 6, through page 1, line 7.

Following: "REVENUE" on line 6

Strike: "TO" on page 1, line 6 through "DAM" on page 1, line 7

3. Page 1, line 16.

Following: "fish"

Insert: "in waters listed in subsection (8)"

4. Page 1, line 21.

Following: "stamp"

Strike: "expires" through "affixed"

Insert: "is valid for the license year in which it is purchased"

5. Page 2, line 5.

Strike: "exclusively" on page 2, line 5

6. Page 2, line 8.

Following: "hatchery" on line 8

Insert: ", and beginning October 1, 2005, for the costs incurred in eradicating illegally introduced warm water species from Montana waters. No more than 15% of available revenue may be dedicated to eradication efforts"

7. Page 2, line 9.

Insert: "(8) The department shall prepare a list of all waters into which fish from the Fort Peck multispecies fish hatchery will be planted. The waters designated in the list are the only waters for which a warm water game fish stamp is required."

And, as amended, do pass. Report adopted.

JUDICIARY (Clark, Chairman):

1/22/1999

HB 47, introduced bill, be amended as follows:

1. Page 2, line 1.

Strike: "5"

Insert: "3"

Following: "violation"

Insert: ", except that an action based on fraud or concealment may not be commenced by the department unless it is brought within 5 years of the date of the violation"

And, as amended, do pass. Report adopted.

HB 149, introduced bill, be amended as follows:

1. Title, line 8.

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Following: "FIREARMS;"

Insert: "PROVIDING EXCEPTIONS;"

2. Page 1, line 17 through line 19.

Strike: "state" on line 17 through "including" on line 19

Insert: "the following persons"

3. Page 1, line 23.

Following: line 22

Insert: "(d) probation and parole officers;

(e) uniformed employees of the department of transportation;

(f) staff and enrolled students of the Montana law enforcement academy;

(g) a person inside a corrections facility;

(h) a person inside a building owned or leased by the state;"

Renumber: subsequent subsections

4. Page 1, line 24.

Following: "(e)"

Insert: "a member of"

And, as amended, do pass. Report adopted.

HB 203, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "45-9-113,"

Insert: "46-18-201, 46-18-231,"

2. Page 3, line 24.

Following: "~~or~~"

Insert: "or"

3. Page 3, line 25 through line 27.

Strike: "; or" on line 25 through "older" on line 27

4. Page 3, line 28.

Following: line 27

Insert: "(3) A person commits the offense of felony assault if, when the victim is under 14 years of age and the offender is 18 years of age or older, the offender:

(a) purposely or knowingly causes bodily injury to the victim;

(b) negligently causes bodily injury to the victim with a weapon;

(c) purposely or knowingly makes physical contact of an insulting or provoking nature with the victim; or

(d) purposely or knowingly causes reasonable apprehension of bodily injury in the victim."

Renumber: subsequent subsections

5. Page 3, line 30.

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Strike: "(3)(b)"

Insert: "(4)(b)"

6. Page 4, line 1.

Strike: "(a) or (2)(b)"

7. Page 4, line 3.

Strike: "(2)(c)"

Insert: "(3)"

8. Page 7, line 9.

Following: line 8

Insert: "**Section 9.** Section 46-18-201, MCA, is amended to read:

"46-18-201. Sentences that may be imposed. (1) Whenever a person has been found guilty of an offense upon a verdict or a plea of guilty, the court may:

(a) defer imposition of sentence, except as provided in 61-8-734 for sentences for driving under the influence of alcohol or drugs or as provided in 61-6-304, for a period, except as otherwise provided, not exceeding 1 year for any misdemeanor or for a period not exceeding 3 years for any felony. The sentencing judge may impose upon the defendant any reasonable restrictions or conditions during the period of the deferred imposition. Reasonable restrictions or conditions may include:

- (i) jail base release;
- (ii) jail time not exceeding 180 days;
- (iii) conditions for probation;
- (iv) payment of the costs of confinement;
- (v) payment of a fine as provided in 46-18-231;
- (vi) payment of costs as provided in 46-18-232 and 46-18-233;
- (vii) payment of costs of court-appointed counsel as provided in 46-8-113;
- (viii) with the approval of the facility or program, an order that the offender be placed in a community corrections facility or program as provided in 53-30-321;
- (ix) with the approval of the prerelease center or prerelease program and confirmation by the department of corrections that space is available, an order that the offender be placed in a prerelease center or prerelease program for a period not to exceed 1 year;
- (x) community service;
- (xi) home arrest as provided in Title 46, chapter 18, part 10;
- (xii) any other reasonable conditions considered necessary for rehabilitation or for the protection of society;
- (xiii) payment of expenses for use of a judge pro tempore or special master as provided in 3-5-116; or
- (xiv) any combination of the restrictions or conditions in subsections (1)(a)(i) through (1)(a)(xiii).

(b) suspend execution of sentence for a period up to the maximum sentence allowed or for a period of 6 months, whichever is greater, for each particular offense. The sentencing judge may impose on the defendant any reasonable restrictions or conditions during the period of suspended sentence. Reasonable restrictions or conditions may include any of those listed in subsection (1)(a).

(c) impose a fine as provided by law for the offense;

(d) require payment of costs as provided in 46-18-232 or payment of costs of court-appointed counsel as provided in 46-8-113;

(e) impose a county jail or state prison sentence, as provided in Title 45, for the offense or commit the defendant to the department of corrections for a period not to exceed 5 years for placement in an appropriate correctional facility or program;

(f) with the approval of the facility or program, order the offender to be placed in a community corrections facility or program as provided in 53-30-321;

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(g) with the approval of the prerelease center or prerelease program and confirmation by the department of corrections that space is available, order the offender to be placed in a prerelease center or prerelease program for a period not to exceed 1 year; or

(h) impose any combination of subsections (1)(b) through (1)(g).

(2) In addition to any penalties imposed pursuant to subsection (1), if the court finds that the victim of the offense has sustained a pecuniary loss, the court shall require payment of full restitution to the victim as provided in 46-18-241 through 46-18-249.

(3) If a financial obligation is imposed as a condition under subsection (1)(a), sentence may be deferred for a period not exceeding 2 years for a misdemeanor or for a period not exceeding 6 years for a felony, regardless of whether any other conditions are imposed.

(4) If any restrictions or conditions imposed under subsection (1)(a) or (1)(b) are violated, the court shall consider any elapsed time and either expressly allow part or all of it as a credit against the sentence or reject all or part as a credit. The court shall state its reasons in the order. Credit, however, must be allowed for jail or home arrest time already served.

(5) Except as provided in 45-9-202 and 46-18-222, the imposition or execution of the first 2 years of a sentence of imprisonment imposed under the following sections may not be deferred or suspended: 45-5-103, 45-5-202~~(3)~~ (4) relating to aggravated assault, 45-5-302(2), 45-5-303(2), 45-5-401(2), 45-5-502(3), 45-5-503(2) and (3), 45-9-101(2), (3), and (5)(d), 45-9-102(4), and 45-9-103(2).

(6) Except as provided in 46-18-222, the imposition or execution of the first 10 years of a sentence of imprisonment imposed under 45-5-102 may not be deferred or suspended.

(7) Except as provided in 46-18-222, imposition of sentence in a felony case may not be deferred in the case of a defendant who has been convicted of a felony on a prior occasion, whether or not the sentence was imposed, imposition of the sentence was deferred, or execution of the sentence was suspended.

(8) If the victim was less than 16 years old, the imposition or execution of the first 30 days of a sentence of imprisonment imposed under 45-5-503, 45-5-504, 45-5-505, or 45-5-507 may not be deferred or suspended. Section 46-18-222 does not apply to the first 30 days of the imprisonment.

(9) In imposing a sentence on a defendant convicted of a sexual or violent offense as defined in 46-23-502, the court may not waive the registration requirement provided in Title 46, chapter 23, part 5.

(10) A person convicted of a sexual offense, as defined in 46-23-502, and sentenced to imprisonment in the state prison shall enroll in and complete the educational phase of the prison's sexual offender program. If the person is subject to the provisions of 45-5-512, the person shall also, as provided in 45-5-512, undergo medically safe medroxyprogesterone acetate treatment or its chemical equivalent or other medically safe drug treatment that reduces sexual fantasies, sex drive, or both, paid for by and for a period of time determined by the department of corrections. The period may not exceed the period of state supervision of the person.

(11) In sentencing a nonviolent felony offender, the court shall first consider alternatives to imprisonment of the offender in the state prison, including placement of the offender in a community corrections facility or program or a prerelease center or prerelease program. In considering alternatives to imprisonment, the court shall examine the sentencing criteria contained in 46-18-225. If the court subsequently sentences the offender to a state prison, the court shall state the reasons why it did not select an alternative to imprisonment, based on the criteria contained in 46-18-225.

(12) If a felony sentence includes probation, the department of corrections shall supervise the defendant unless the court specifies otherwise.

(13) Except as provided in 46-18-222, a provision of this section that conflicts with 46-18-219 does not apply to a person sentenced under 46-18-219."

Insert: "Section 10. Section 46-18-231, MCA, is amended to read:

"46-18-231. Fines in felony and misdemeanor cases. (1) Whenever, upon a verdict or a plea of guilty, a person has been found guilty of an offense for which a felony penalty of imprisonment could be imposed, the court may impose a fine, only in accordance with subsection (3), and in lieu of or in addition to a sentence of imprisonment. For those crimes for which penalties are provided in 45-5-103, 45-5-202~~(3)~~ (4), 45-5-302(2), 45-5-

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303(2), 45-5-401(2), 45-5-502(3), 45-5-503(2) and (3), 45-9-101(2), (3), and (5)(d), 45-9-102(4), 45-9-103(2), and 45-9-109, a fine may be imposed in accordance with subsection (3) in addition to a sentence of imprisonment.

(2) Whenever, upon a verdict or plea of guilty, a person has been found guilty of an offense for which a misdemeanor penalty of a fine could be imposed, the court may impose a fine only in accordance with subsection (3).

(3) The court may not sentence a defendant to pay a fine unless the defendant is or will be able to pay the fine. In determining the amount and method of payment, the court shall take into account the nature of the crime committed, the financial resources of the defendant, and the nature of the burden that payment of the fine will impose.

(4) Any fine levied under this section in a felony case shall be in an amount fixed by the court not to exceed \$50,000."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 214, do pass. Report adopted.

HB 283, do pass. Report adopted.

SB 6, be concurred in. Report adopted.

TAXATION (Hibbard, Chairman):

1/22/1999

SB 14, be concurred in. Report adopted.

SB 15, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/22/1999

SB 22, introduced by Mohl

SB 33, introduced by Thomas

SB 140, introduced by Nelson

SB 172, introduced by Waterman

SB 187, introduced by Tester

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 361, introduced by J. Shockley, referred to Judiciary.

HB 362, introduced by T. Schmidt, referred to State Administration.

HB 363, introduced by D. Wyatt, referred to Local Government.

HB 364, introduced by M. Lindeen, S. Bartlett, A. Bishop, P. Clark, T. Dell, S. Doherty, E. Franklin, B. Glaser, T. Hagener, D. Hedges, C. Juneau, S. Kitzenberg, R. Lenhart, L. McCulloch, B. Pavlovich, R. Peck, J. Quilici, B. Ryan, D. Shea, F. Smith, E. Swanson, J. Tester, F. Thomas, C. Williams, D. Wyatt, referred to Business and Labor.

HB 365, introduced by J. Cobb, referred to Taxation.

HB 366, introduced by B. Kasten, C. Ahner, B. Barnhart, M. Guggenheim, M. Halligan, R. Johnson, L. Soft, M. Waterman, referred to Judiciary.

HB 367, introduced by B. Barnhart, referred to Business and Labor.

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HB 368, introduced by B. Barnhart, referred to Business and Labor.

HB 369, introduced by B. Barnhart, referred to Business and Labor.

HB 370, introduced by B. Barnhart, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Tropila in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 75 - Representative Ahner moved **HB 75** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Adams, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Cobb, Jore, Orr, Rehbein, Taylor, Vick.

Total 10

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Hurdle, Menahan, Tropila.

Total 3

HB 116 - Representative McGee moved **HB 116** do pass.

HB 116 - Representative McGee moved **HB 116**, second reading copy, be amended as follows :

1. Title, lines 6 through 8.

Strike: "PROVIDING" on line 6 through the first "OR" on line 8

Insert: "ALLOWING AN OFFENDER TO SERVE INITIAL IMPRISONMENT IN"

2. Title, lines 9 and 10.

Strike: "INTENSIVE OUTPATIENT"

Insert: "APPROPRIATE"

Following: "TREATMENT"

Strike: the remainder of line 9 through "CENTER" on line 10

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3. Page 1, line 20.

Strike: ", except as provided in subsection (6)"

4. Page 2, line 2.

Following: "center"

Insert: "or, upon acceptance by the facility, a state-approved public or private treatment facility that provides the appropriate level of chemical dependency treatment"

5. Page 2, line 29 through page 3, line 8.

Strike: subsection (6) in its entirety

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Hagener, Jore.

Total 2

Excused: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson.

Total 6

Absent or not voting: P. Bergsagel, McGee, McKenney, Menahan, Tropila.

Total 5

Motion that **HB 116**, as amended, do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 85

Noes: Adams, P. Bergsagel, Brainard, Brown, E. Clark, Jore, Lawson, Molnar, Mood, Orr, Smith, Somerville, Story, Wagner, Witt.

Total 15

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 64 - Representative McCann moved **HB 64** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: None.

Total 0

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Williams.

Total 1

HB 154 - Representative Gallus moved **HB 154** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 80

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Davies, Hedges, Jore, Kasten, McGee, Molnar, Mood, Orr, Rehbein, Somerville, Story, Vick, Wagner.
Total 18

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: S. Anderson, Bitney.

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Total 2

HB 156 - Representative Simon moved that **HB 156** be passed for the day. Motion carried.

SJR 1 - Representative Grinde moved **SJR 1** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: Brainard, Cobb, Facey, Harper, Hurdle, McCulloch, Peck, Wagner, Wyatt.

Total 9

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Gutsche, Noennig.

Total 2

HB 196 - Representative Cobb moved **HB 196** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 227 - Representative Molnar moved **HB 227** do pass.

HB 227 - Representative Lawson moved **HB 227**, second reading copy, be amended as follows :

1. Title, line 4 through line 10.

Following: "ACT" on line 4

Strike: remainder of line 4 through "z" on line 10

2. Page 1, lines 17 through 24.

Strike: section 1 in its entirety

Renumber: subsequent sections

3. Page 2, lines 27 through 29.

Strike: section 4 in its entirety

HB 227 - Representative Molnar made a substitute motion that **HB 227** be passed for the day. Motion carried.

HB 229 - Representative Harrington moved that **HB 229** be passed for the day. Motion carried.

HB 250 - Representative Rehbein moved **HB 250** do pass.

HB 250 - Representative Rehbein moved **HB 250**, second reading copy, be amended as follows :

1. Page 1, line 23.

Following: "employee"

Insert: "or organization"

2. Page 1, line 25.

Following: "coverage"

Insert: "of the employee of the organization"

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: Adams, Brainard, R. Clark, Grinde, Jore, Smith, Wagner.

Total 7

Excused: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson.

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Total 6

Absent or not voting: Mood.

Total 1

Motion that **HB 250**, as amended, do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin.

Total 83

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Grinde, Jore, Kasten, Orr, Rose, Ryan, Smith, Vick, Wagner, Zook.

Total 15

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Mood, Mr. Speaker.

Total 2

HB 200 - Representative Cobb moved **HB 200** do pass.

HB 200 - Representative Cobb moved **HB 200**, second reading copy, be amended as follows :

1. Page 1, line 11.

Following: "(1)"

Insert: "(a)"

2. Page 1, lines 13 and 14.

Strike: "or 5%" on line 13

Following: "price" on line 13

Strike: remainder of line 13 through "\$10,000." on line 14

3. Page 1, line 17.

Following: line 16

Insert: "(b) If a person, firm, or corporation fails to comply with the provisions of this part due to gross negligence, as determined by the commissioner, the commissioner may retain up to an additional \$10,000 above the amount provided for in subsection (1)(a) as a penalty for the violation of the terms of the public works contract. The money retained pursuant to this subsection (1)(b) must be credited to the proper funds of the state, county, municipality, school district, or other political subdivision."

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Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Somerville, Squires, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 82

Noes: Adams, E. Bergsagel, P. Bergsagel, Jore, Lenhart, Masolo, McCann, Rehbein, Smith, Story, Wagner.

Total 11

Excused: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson.

Total 6

Absent or not voting: Walters.

Total 1

Motion that **HB 200**, as amended, do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: Adams, P. Bergsagel, Davies, Jackson, Jore, Masolo, McGee, Orr, Rehbein, Story, Vick, Wagner.

Total 12

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Bitney, Walters.

Total 2

HB 53 - Representative R. Clark moved **HB 53** be passed for the day. Motion carried.

HB 115 - Representative McGee moved **HB 115** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson,

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Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Buzzas, Eggers, Gillan, Jore, Wyatt.

Total 5

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Tuss.

Total 1

HB 91 - Representative Simon moved **HB 91** do pass.

HB 91 - Representative Pavlovich moved for cloture. Motion carried.

Motion that **HB 91** do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, R. Clark, Cobb, Dale, Davies, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Jore, Kasten, Masolo, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Shockley, Simon, Sliter, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tuss, Vick, Wagner, Walters, Younkin, Zook, Mr. Speaker.

Total 51

Noes: Barnhart, Beck, Buzzas, E. Clark, P. Clark, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, Menahan, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Soft, Somerville, Squires, Swanson, Tropila, Williams, Witt, Wyatt.

Total 49

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 123 - Representative Menahan moved **HB 123** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas,

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E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Adams, S. Anderson.

Total 2

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnhart, Bitney, Kasten.

Total 3

HB 201 - Representative Cobb moved **HB 201** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Jore.

Total 1

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: P. Clark, Grinde, Kasten.

Total 3

HB 151 - Representative Witt moved **HB 151** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten,

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Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Adams, Erickson, Squires.

Total 3

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 212 - Representative Hagener moved **HB 212** do pass.

HB 212 - Representative Hagener moved **HB 212**, second reading copy, be amended as follows :

1. Title, page 1, line 4 through line 6.

Strike: "AUTHORIZING" on line 4 through "GOVERNMENTS;" on line 6

2. Page 1, line 20.

Strike: "may"

Insert: "shall, except as provided in subsection (2),"

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 87

Noes: Adams, R. Clark, Davies, Jore, Kasten.

Total 5

Excused: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson.

Total 6

Absent or not voting: Barnhart, Mr. Speaker.

Total 2

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Motion that **HB 212**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 94

Noes: R. Clark, Molnar, Orr, Sliter, Zook.

Total 5

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Holden.

Total 1

HB 36 - Representative Quilici moved **HB 36** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 175 - Representative Gillan moved **HB 175** do pass.

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HB 175 - Representative Gillan moved **HB 175**, second reading copy, be amended as follows :

1. Page 3, line 20.

Following: first "administrator"

Insert: "or by the secretary of state"

Following: second "administrator"

Insert: "or to the secretary of state"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson.

Total 6

Absent or not voting: Cobb, Grinde, Holden, Sliter.

Total 4

Motion that **HB 175**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: E. Bergsagel.

Total 1

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 138 - Representative Harper moved **HB 138** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.
Total 0

Absent or not voting: E. Bergsagel.
Total 1

HB 139 - Representative Harper moved **HB 139** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 266 - Representative Guggenheim moved **HB 266** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Adams, P. Bergsagel, Jore, Kasten, Molnar, Orr.

Total 6

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Williams, Younkin.

Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Tropila moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson.

Total 6

Absent or not voting: Haines.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the

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following manner:

HB 255 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Brainard, Lawson, Molnar, Wagner.

Total 4

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: P. Bergsagel.

Total 1

HB 90 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, Jore, Molnar, Orr, Story, Taylor.

Total 6

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Lindeen.

Total 1

HB 70 passed as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Cobb.

Total 1

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Haines, Story.

Total 2

HB 85 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brainard, Brown, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Story, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 82

Noes: Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, R. Clark, Eggers, Facey, Guggenheim, Hanson, Matthews, Ryan, Sliter, Squires, Stovall, Tuss, Wyatt.

Total 17

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Fuchs.

Total 1

HB 58 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim,

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Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 95 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Curtiss, Wagner.

Total 2

Voted Absentee: Ewer, Fisher, Johnson, Soft, Swanson, Ayes; Curtiss, No.

Excused: None.

Total 0

Absent or not voting: Witt.

Total 1

HB 172 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar,

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Mood, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Adams, P. Bergsagel, P. Clark, Jore, Orr, Vick.

Total 6

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Bitney, Noennig.

Total 2

HB 187 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Curtiss, Ewer, Fisher, Johnson, Soft, Swanson, Ayes.

Excused: None.

Total 0

Absent or not voting: Bitney.

Total 1

MOTIONS

Representative Grinde moved that **HB 115**, having passed 2nd reading, be rereferred to the Committee on Appropriations. Motion carried.

Representative Grinde moved that **HB 227** be taken from the 2nd reading board today and be rereferred to the Judiciary Committee. Motion carried.

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Representative Grinde moved that **HB 323** be taken from the Committee on Local Government and be rereferred to the Committee on Transportation. Motion carried.

Representative R. Clark requested on **HB 91**, 2nd reading today, his vote be shown as yes. Motion carried.

Representative Somerville requested on **HB 64** and **HB 212**, 2nd reading today, his votes be shown as yes. Motion carried.

Representative Bitney requested on **HB 85**, 3rd reading today, his vote be changed from yes to no. Motion carried.

Representative Buzzas requested on **HB 139**, 2nd reading today, her vote be shown as yes. Motion carried.

Representative Gutsche requested on **HB 123**, 2nd reading today, her vote be shown as yes. Motion carried.

SPECIAL ORDERS OF THE DAY

Mr. Speaker introduced the honorary pages for the day:

Elise Anderson, Kalispell
Jennifer Lynch, Butte
Kaitlin Lynch, Butte

The following cosponsor was added to **HB 133**: Senator Mahlum.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Monday, January 25, 1999. Motion carried.

House adjourned at 11:10 a.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
NINETEENTH LEGISLATIVE DAY**

Helena, Montana
January 25, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Tash. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventeenth and eighteenth legislative days, find the same to be correct.

Rehbein, Chairman

COMMUNICATIONS AND PETITIONS

Speaker Mercer appointed the following representatives to the Workforce Committee:

Representative Verdell Jackson
Representative Jeff Mangan

Speaker Mercer appointed the following representative to the House Rules Committee:

Representative Joe Quilici

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/25/1999

Correctly printed: **HB 26, HB 47, HB 69, HB 98, HB 136, HB 149, HB 155, HB 186, HB 203, HB 214, HB 216, HB 254, HB 264, HB 277, HB 283, HB 284, SB 6, SB 14, SB 15, SB 26, SB 51.**

Correctly engrossed: **HB 36, HB 64, HB 75, HB 91, HB 116, HB 123, HB 138, HB 139, HB 151, HB 154, HB 175, HB 196, HB 200, HB 201, HB 212, HB 250, HB 266, SJR 1.**

HUMAN SERVICES (Soft, Chairman): 1/25/1999

HB 319, do pass. Report adopted.

SB 62, be concurred in. Report adopted.

NATURAL RESOURCES (Tash, Chairman): 1/25/1999

HB 35, do pass. Report adopted.

HB 113, introduced bill, be amended as follows:

1. Page 1.

Following: line 13

Insert: "(1) commence a civil action for appropriate relief, including injunctive relief, in the district court in the district in which the facility is located; or"

Renumber: subsequent subsection

2. Page 1, lines 19 and 20.

Strike: Subsection (2) in its entirety

And, as amended, do pass. Report adopted.

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MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/23/1999

SB 1, introduced by Mahlum
SB 11, introduced by Halligan
SB 31, introduced by Stang
SB 69, introduced by Stang
SB 95, introduced by Grosfield
SB 96, introduced by Stang
SB 97, introduced by Stang

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 371, introduced by J. Cobb, referred to Judiciary.
HB 372, introduced by J. Cobb, referred to Appropriations.
HB 373, introduced by C. Younkin, S. Anderson, J. Barnett, T. Beck, G. Devlin, D. Eck, A. Ellis, L. Grinde, M. Halligan, D. Hargrove, G. Masolo, M. McCann, K. Mesaros, K. Ohs, J. Shockley, B. Story, E. Swanson, C. Swysgood, B. Tash, S. Vick, J. Wells, referred to Agriculture.
HB 374, introduced by J. Hurdle, P. Clark, G. Gutsche, C. Williams, referred to Judiciary.
HB 375, introduced by M. Brainard, B. Lawson, referred to Local Government.
HB 376, introduced by A. Walters, D. Adams, C. Ahner, E. Clark, R. Clark, D. Fuchs, T. Keating, S. Rose, J. Wells, J. Witt, referred to Education.
HB 377, introduced by A. Walters, referred to Transportation.
HB 378, introduced by D. Fuchs, L. Grinde, referred to Appropriations.
HB 379, introduced by B. Tash, S. Anderson, T. Beck, M. Brainard, W. Crismore, L. Grinde, L. Grosfield, M. Hanson, J. Hertel, K. Mesaros, D. Mood, K. Ohs, B. Rehbein, P. Sliter, C. Swysgood, L. Taylor, C. Younkin, referred to Fish, Wildlife and Parks.
HB 380, introduced by B. Rehbein, S. Anderson, L. Grinde, M. Hanson, R. Jore, B. Kasten, T. Keating, M. McCann, K. Ohs, S. Stang, B. Story, B. Tash, J. Witt, T. Zook, referred to Judiciary.
HB 381, introduced by B. Molnar, P. Bergsagel, S. Bookout-Reinicke, M. Brainard, B. Davies, R. Jore, B. Keenan, B. Lawson, D. McGee, K. Miller, S. Orr, J. Stovall, L. Taylor, S. Vick, D. Wagner, J. Wells, referred to Business and Labor.
HB 382, introduced by S. Rose, referred to Judiciary.
HB 383, introduced by T. Facey, J. Shockley, referred to State Administration.
HB 384, introduced by F. Smith, R. Clark, C. Juneau, R. Lenhart, R. Peck, B. Rehbein, J. Stovall, referred to Human Services.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 10, introduced by A. Curtiss, M. Brainard, R. Jore, B. Molnar, S. Orr, referred to State/Federal Relations.
HJR 11, introduced by A. Curtiss, M. Brainard, R. Jore, B. Molnar, S. Orr, B. Tash, referred to State/Federal Relations.

The following bills were rereferred from the Joint Select Committee on Jobs and Income on 1/22/1999:

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HB 239 to the Committee on Appropriations
HB 240 to the Committee on Taxation
HB 252 to the Committee on Appropriations
HB 260 to the Committee on Business and Labor

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Story in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 167 - Representative Johnson moved **HB 167** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 66 - Representative Cobb moved **HB 66** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

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Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 198 - Representative Cobb moved **HB 198** do pass.

HB 198 - Representative Cobb moved that **HB 198** be moved to the bottom of the board. Motion carried.

HB 194 - Representative Cobb moved **HB 194** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 197 - Representative Cobb moved **HB 197** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: P. Clark.
Total 1

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 156 - Representative Tropila moved **HB 156** do pass.

HB 156 - Representative Tropila moved **HB 156**, second reading copy, be amended as follows :

1. Page 1, line 23.

Following: "page"

Strike: "of"

Insert: "or elsewhere in"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: Taylor.
Total 1

Excused: None.
Total 0

Absent or not voting: Cobb, Guggenheim, Ohs, Swanson.
Total 4

Motion that **HB 156**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Jore, Orr.

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Total 2

Excused: None.

Total 0

Absent or not voting: Cobb, Ohs.

Total 2

HB 229 - Representative Ewer moved **HB 229** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: Squires.

Total 1

Excused: None.

Total 0

Absent or not voting: Cobb.

Total 1

HB 198 - Representative Cobb moved **HB 198** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 75

Noes: Adams, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gillan, Guggenheim, Gutsche, Harper, Hurdle, Lawson, Lindeen, Mangan, Matthews, McCulloch, Schmidt, Smith, Squires, Swanson, Williams, Wyatt.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Story moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: P. Clark, Eggers, Erickson, Ewer, Harper, Hurdle, Wyatt.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 176 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: Jore.

Total 1

Excused: None.

Total 0

Absent or not voting: Sliter.

Total 1

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HB 75 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Adams, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Cobb, Jore, Orr, Rehbein, Taylor, Vick, Wagner.

Total 12

Excused: None.

Total 0

Absent or not voting: Kasten.

Total 1

HB 64 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Fuchs, Noennig.

Total 2

HB 154 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon,

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Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 79

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Davies, Fuchs, Hedges, Jore, Kasten, McGee, Molnar, Mood, Orr, Rehbein, Somerville, Story, Vick, Wagner, Wyatt.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJ 1 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: Barnhart, Brainard, Erickson, Ewer, Gutsche, Harper, Hurdle, McCann, McCulloch, Peck, Wagner, Wyatt.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 196 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

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Excused: None.
Total 0

Absent or not voting: P. Clark.
Total 1

HB 91 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Harrington, Hedges, Holden, Jackson, Jore, Kasten, Lenhart, Masolo, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Shockley, Simon, Sliter, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 57

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Matthews, Menahan, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Soft, Somerville, Squires, Swanson, Tropila, Williams, Wyatt.
Total 43

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 123 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 98

Noes: Adams, S. Anderson.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 201 passed as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Jore, Orr.
Total 2

Excused: None.
Total 0

Absent or not voting: Gallus.
Total 1

HB 151 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: Adams.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 36 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney,

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Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 138 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: P. Clark.

Total 1

HB 139 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

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Total 0

Excused: None.

Total 0

Absent or not voting: Squires.

Total 1

HB 266 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, P. Bergsagel, Curtiss, Jore, Kasten, Molnar, Orr.

Total 7

Excused: None.

Total 0

Absent or not voting: S. Anderson, Cobb, Jackson.

Total 3

SPECIAL ORDERS OF THE DAY

The following cosponsor was added to **HJR 7**: Senator Keating.

The following cosponsor was added to **HJR 8**: Senator Keating.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Tuesday, January 26, 1999. Motion carried.

House adjourned at 2:15 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
TWENTIETH LEGISLATIVE DAY**

Helena, Montana
January 26, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Thomas. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

House welcomed and heard remarks from Edward Feng, Deputy Director-General and Frank R. H. Liu, Director General, of the Taipei Economic & Cultural Office in Seattle, Washington.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/26/1999
Correctly printed: **HB 35, HB 113, HB 137, HB 209, HB 257, HB 319, SB 62.**
Correctly engrossed: **HB 66, HB 156, HB 167, HB 194, HB 197, HB 198, HB 229.**

EDUCATION (Masolo, Chairman): 1/26/1999
HB 304, do pass. Report adopted.
HJR 1, be adopted. Report adopted.
SB 56, be amended as follows:

1. Page 2, line 3.
Strike: "December 31"
Insert: "January 1"

And, as amended, be concurred in. Report adopted.

SB 79, be amended as follows:

1. Page 2, line 13.
Strike: "6(1)"
Insert: "7(1)"

2. Page 2, line 18.
Strike: "3"
Insert: "1"

And, as amended, be concurred in. Report adopted.

SB 80, be concurred in. Report adopted.

JUDICIARY (Clark, Chairman): 1/25/1999
HB 24, do pass. Report adopted.
HB 209, introduced bill, be amended as follows:

1. Title, page 1, line 5.
Following: "SECTIONS"
Insert: "41-3-609,"

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2. Page 1, line 12.

Following: line 11

Insert: "Section 1. Section 41-3-609, MCA, is amended to read:

"41-3-609. Criteria for termination. (1) The court may order a termination of the parent-child legal relationship upon a finding that any of the following circumstances exist:

(a) the parents have relinquished the child pursuant to 42-2-402 and 42-2-412;
(b) the child has been abandoned by the parents as set forth in 41-3-102;
(c) the identity of the parent is unknown and has been unknown for a period of 90 days and reasonable efforts to identify and locate the parent have failed;

(d) the parent is convicted of a felony in which sexual intercourse occurred or is a minor adjudicated a delinquent youth because of an act that, if committed by an adult, would be a felony in which sexual intercourse occurred and, as a result of the sexual intercourse, the child is born; or

(e) the child is an adjudicated youth in need of care and both of the following exist:

(i) an appropriate treatment plan that has been approved by the court has not been complied with by the parents or has not been successful; and

(ii) the conduct or condition of the parents rendering them unfit is unlikely to change within a reasonable time; or

(f) the parent has substantially failed to successfully complete or meet the goals of a treatment plan approved by the court and the child has been in an out-of-home placement for a cumulative total period of 1 year or longer.

(2) In determining whether the conduct or condition of the parents is unlikely to change within a reasonable time, the court shall enter a finding that continuation of the parent-child legal relationship will likely result in continued abuse or neglect or that the conduct or the condition of the parents renders the parents unfit, unable, or unwilling to give the child adequate parental care. In making the determinations, the court shall consider but is not limited to the following:

(a) emotional illness, mental illness, or mental deficiency of the parent of a duration or nature as to render the parent unlikely to care for the ongoing physical, mental, and emotional needs of the child within a reasonable time;

(b) a history of violent behavior by the parent;

(c) a single incident of life-threatening or gravely disabling injury to or disfigurement of a child caused by the parent;

(d) excessive use of intoxicating liquor or of a narcotic or dangerous drug that affects the parent's ability to care and provide for the child;

(e) present judicially ordered long-term confinement of the parent;

(f) the injury or death of a child because of proven abuse or neglect; and

(g) any reasonable efforts by protective service agencies that have been unable to rehabilitate the parent.

(3) In considering any of the factors in subsection (2) in terminating the parent-child relationship, the court shall give primary consideration to the physical, mental, and emotional conditions and needs of the child. The court shall review and, if necessary, order an evaluation of the child's or the parent's physical, mental, and emotional conditions.

(4) A treatment plan is not required under this part upon a finding by the court following hearing if:

(a) two medical doctors or clinical psychologists submit testimony that the parent cannot assume the role of parent;

(b) the parent is incarcerated for more than 1 year and a treatment plan is not practical considering the incarceration; or

(c) the death or serious bodily injury, as defined in 45-2-101(64), of a child caused by abuse or neglect by the parent has occurred.""

Renumber: subsequent sections

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3. Page 5, line 28.

Following: line 27

Insert: "(43) "Nolo contendere" means a plea in which the defendant does not contest the charge or charges against the defendant and neither admits nor denies the charge or charges."

Renumber: subsequent subsections

4. Page 10, line 18.

Strike: "(74)(a)"

Insert: "(75)(a)"

5. Page 18, line 20.

Following: "or"

Insert: ", with the consent of the court,"

And, as amended, do pass. Report adopted.

HB 233, do pass. Report adopted.

HB 257, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "subsection"

Insert: "subsections (1)(c) and"

2. Page 1, line 19.

Following: "charge"

Insert: "under Title 45, 61-8-401, or 61-8-406"

3. Page 2, line 25.

Following: "53-9-109"

Insert: ", except as provided in subsection (7)(b)"

And, as amended, do pass. Report adopted.

HB 357, do pass. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

1/25/1999

HB 141, do pass. Report adopted.

TAXATION (Hibbard, Chairman):

1/25/1999

HB 137, introduced bill, be amended as follows:

1. Page 1, line 24.

Following: "~~chapter 23.~~"

Insert: "The procedure applies to assessments of centrally assessed property taxed pursuant to chapter 23."

2. Page 4, line 1.

Strike: "right"

Insert: "opportunity"

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3. Page 4, line 12.

Following: "decision."

Insert: "and"

4. Page 4, line 14.

Strike: " : and "

Insert: " . "

5. Page 4, line 15 through line 18.

Strike: subsection (f) in its entirety

Following: line 18

Insert: "(5) The department shall:

(a) develop guidelines that must be followed by employees of the department in dispute resolution matters;

(b) develop policies concerning the authority of an employee to resolve disputes; and

(c) establish procedures for reviewing and approving disputes resolved by an employee or the dispute resolution office."

Renumber: subsequent subsection

6. Page 7, line 6.

Following: "~~(1)~~"

Insert: "(1)"

7. Page 7, line 9.

Strike: "(1)"

Insert: "(a)"

Renumber: subsequent subsections

8. Page 7.

Following: line 19

Insert: "(2) Appeals from the decision of the department pursuant to 15-1-211 may be taken to the state tax appeal board."

And, as amended, do pass. Report adopted.

SB 28, be concurred in. Report adopted.

SB 52, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/25/1999

SB 48, introduced by Swysgood

SB 49, introduced by Swysgood

SB 71, introduced by Nelson

SB 171, introduced by Mesaros

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

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HB 385, introduced by E. Swanson, referred to Taxation.

HB 386, introduced by R. Jore, referred to Taxation.

HB 387, introduced by R. Jore, referred to Fish, Wildlife and Parks.

HB 388, introduced by B. Davies, R. Dale, B. Rehbein, B. Tash, referred to Judiciary.

HB 389, introduced by B. Davies, R. Dale, B. Rehbein, B. Tash, referred to Fish, Wildlife and Parks.

HB 390, introduced by B. Lawson, referred to Business and Labor.

HB 391, introduced by D. Hedges, referred to Agriculture.

HB 392, introduced by B. Tash, V. Cocchiarella, B. McCarthy, K. Ohs, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Golie in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 186 - Representative Peck moved **HB 186** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Mood.

Total 1

HB 283 - Representative Younkin moved **HB 283** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas,

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Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: McCann.
Total 1

HB 254 - Representative Somerville moved **HB 254** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.
Total 92

Noes: P. Bergsagel, Brainard, Davies, Jore.
Total 4

Excused: None.
Total 0

Absent or not voting: Bitney, Gallus, Hedges, Zook.
Total 4

HB 264 - Representative Wyatt moved **HB 264** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 93

Noes: Adams, Curtiss, Jore, McGee, Orr, Vick, Wagner.
Total 7

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 277 - Representative Pavlovich moved **HB 277** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: Adams, P. Bergsagel, Brainard, Davies, Jore, McGee, Orr, Rehbein, Somerville, Story, Taylor.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 284 - Representative Story moved **HB 284** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Adams, P. Bergsagel, Brainard, Brown, Curtiss, Davies, Jore, Lawson, McGee, Molnar, Orr, Vick, Wagner.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 125 - Representative Johnson moved **HB 125** do pass. Motion carried as follows:

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Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: Adams, E. Bergsagel, P. Bergsagel, P. Clark, Fuchs, Jore, Orr, Rehbein, Vick, Wagner.

Total 10

Excused: None.

Total 0

Absent or not voting: McKenney, Molnar.

Total 2

HB 136 - Representative Williams moved **HB 136** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, Cobb, Curtiss, Jore, McGee, Orr, Rehbein, Vick.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 192 - Representative Andersen moved **HB 192** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Ewer, Fisher, Fuchs, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 65

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Noes: Barnhart, Beck, P. Bergsagel, Buzzas, Cobb, Eggers, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Hagener, Harper, Harrington, Jore, Juneau, Lindeen, Mangan, Matthews, McCulloch, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ryan, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 53 - Representative Clark moved **HB 53** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 80

Noes: Buzzas, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gutsche, Harper, Harrington, Hurdle, McCulloch, Peck, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 19

Excused: None.

Total 0

Absent or not voting: Menahan.

Total 1

HB 47 - Representative Anderson moved **HB 47** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: McGee.

Total 1

Excused: None.

Total 0

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Absent or not voting: Shockley.
Total 1

HB 214 - Representative McGee moved **HB 214** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 91

Noes: P. Bergsagel, Buzzas, Eggers, Grinde, Lenhart, Masolo, Rose, Taylor.
Total 8

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke.
Total 1

HB 216 - Representative Pavlovich moved **HB 216** do pass. Motion carried as follows:

Ayes: S. Anderson, Beck, Bitney, Brainard, E. Clark, Dell, Facey, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Haines, Hanson, Harrington, Hedges, Hibbard, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Ohs, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Shockley, Sliter, Smith, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook.
Total 54

Noes: Adams, Ahner, J. Andersen, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Erickson, Ewer, Fisher, Gillan, Guggenheim, Gutsche, Hagener, Harper, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Lawson, McGee, Mood, Noennig, Orr, Raney, Schmidt, Simon, Soft, Somerville, Thomas, Trexler, Vick, Walters, Mr. Speaker.
Total 46

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 220 - Representative Rose moved **HB 220** do pass. Motion carried as follows:

Ayes: J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim,

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Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 77

Noes: Adams, Ahner, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, P. Clark, Curtiss, Davies, Grinde, Jackson, Jore, Kasten, McGee, Molnar, Ohs, Orr, Shockley, Sliter, Story, Vick, Wagner, Wyatt.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Golie moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Hurdle, Jackson, Johnson, Jore, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Barnett, Barnhart, P. Bergsagel, Erickson, Galvin-Halcro, Harrington, Juneau, Ryan, Tuss, Wyatt.

Total 10

Excused: None.

Total 0

Absent or not voting: Holden, Kasten, Kitzenberg.

Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 116 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington,

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Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 84

Noes: Adams, P. Bergsagel, Brainard, Brown, E. Clark, Jore, Molnar, Mood, Orr, Rehbein, Somerville, Story, Vick, Wagner, Witt.

Total 15

Excused: None.

Total 0

Absent or not voting: Taylor.

Total 1

HB 175 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Taylor.

Total 1

HB 200 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

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Noes: Adams, S. Anderson, P. Bergsagel, Davies, Jore, McGee, Orr, Rehbein, Story, Vick, Wagner.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 212 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: R. Clark, McGee, Molnar, Orr.
Total 4

Excused: None.
Total 0

Absent or not voting: McCulloch.
Total 1

HB 250 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.
Total 88

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Jore, Kasten, Orr, Ryan, Vick, Wagner, Zook.
Total 11

Excused: None.
Total 0

Absent or not voting: Jackson.

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Total 1

HB 167 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 66 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Grinde, Shockley.

Total 2

HB 198 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Gallus,

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Galvin-Halcro, Golie, Grinde, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 78

Noes: Adams, Beck, P. Clark, Dell, Erickson, Ewer, Facey, Gillan, Guggenheim, Gutsche, Harper, Hurdle, Lawson, Lindeen, Mangan, Matthews, McCulloch, Schmidt, Smith, Squires, Swanson, Williams.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 194 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 197 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr.

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Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 229 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Squires.
Total 1

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke, Williams.
Total 2

MOTIONS

Representative Thomas requested on **HB 216**, 2nd reading today, his vote be changed from yes to no. Motion carried.

Representative Davies requested on **HB 167**, 3rd reading today, his vote be shown as yes. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Wednesday, January 27, 1999. Motion carried.

House adjourned at 3:10 p.m.

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MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
TWENTY-FIRST LEGISLATIVE DAY**

Helena, Montana
January 27, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Jackson. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the nineteenth and twentieth legislative days, find the same to be correct.

Rehbein, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/27/1999
Correctly printed: **HB 24, HB 141, HB 233, HB 304, HB 357, HJR 1, SB 28, SB 52, SB 56, SB 79, SB 80.**
Correctly engrossed: **HB 47, HB 53, HB 125, HB 136, HB 186, HB 192, HB 214, HB 216, HB 220, HB 254, HB 264, HB 277, HB 283, HB 284.**

BUSINESS AND LABOR (Simon, Chairman): 1/26/1999
HB 121, introduced bill, be amended as follows:

1. Page 2, line 17.

Following: "based"

Insert: "primarily"

2. Page 3, line 20.

Following: "company"

Strike: "doing business in this state or that includes"

Insert: "with"

3. Page 3, line 21.

Following: "commissioner"

Strike: "notice of its presence in the state"

4. Page 3, line 23.

Following: "[section 2]."

Insert: "Compliance with this section may not by itself subject a company to the provisions of any other statute of this state or to any taxes, licenses, or fees."

5. Page 3, line 24.

Following: "to"

Insert: "disclose only the following substantive information"

6. Page 3, line 25.

Following: "(a)"

Strike: "disclose"

7. Page 3, line 26.

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Following: "trustees;"

Strike: "and"

Insert: "(b) the corporate name; the headquarters street, mailing, and E-mail addresses, as well as telephone and telefax numbers; and the state of domicile and state of incorporation of the multilevel distribution company; and "

8. Page 3, line 27.

Strike: "(b) file"

Insert: "(c)"

9. Page 3, line 28.

Following: "and the"

Strike: "extent or amount of the compensation"

Insert: "compensation structure of the marketing plan"

10. Page 3, line 29.

Insert: "(3) This section does not preclude the commissioner from obtaining information required of participants during the course of an investigation or proceeding initiated under this chapter."

11. Page 4, line 1.

Following: "chapter 10," in 2 places

Insert: "part 3" in both places

And, as amended, do pass. Report adopted.

HB 245, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "RESIDENTIAL"

Insert: "SINGLE-FAMILY DWELLING"

2. Page 2, line 9.

Following: "from"

Insert: "building"

Following: "fees"

Insert: "-- special account"

3. Page 2, line 13.

Following: "from"

Insert: "building"

4. Page 2, line 15.

Following: second "to"

Strike: "a special account"

Insert: "the state special revenue account established in subsection (3)"

5. Page 2, following line 16.

Insert: "(3) There is an account in the state special revenue fund for the purpose of paying the costs of the building codes education program. "

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Renumber: subsequent subsection

6. Page 3, line 5.

Strike: "residential"

Insert: "single-family dwelling"

7. Page 3, line 7.

Strike: "residential buildings"

Insert: "single-family dwellings"

8. Page 3, line 12.

Following: "footings"

Insert: ", foundations, and basements"

9. Page 3, line 24.

Strike: "residential"

Insert: "single-family dwelling"

10. Page 3, line 27.

Following: "Code"

Insert: ", as amended"

11. Page 3, line 30.

Following: "at"

Strike: "no charge"

Insert: "a price that is commensurate with reproduction costs"

12. Page 4, line 23.

Strike: "residential"

Insert: "single-family dwelling"

13. Page 5, line 10.

Strike: "one and two family"

Insert: "single-family"

14. Page 5, line 12.

Following: "within"

Strike: "5"

Insert: "10"

15. Page 6, line 9.

Following: "of the"

Insert: "building"

16. Page 7, line 19.

Following: "possible"

Strike: "and"

Insert: ", "

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Following: "consent of"

Strike: "interested parties"

Insert: "the building codes council and the Montana chapter of the international conference of building officials"

17. Page 8, line 1 and line 13.

Strike: "residential" in 2 places

Insert: "single-family dwelling" in both places

18. Page 8, line 5.

Following: "footings"

Insert: ", foundations, and basements"

And, as amended, do pass. Report adopted.

HB 302, do pass. Report adopted.

HB 321, do pass. Report adopted.

HB 322, do pass. Report adopted.

SB 21, be concurred in. Report adopted.

STATE/FEDERAL RELATIONS (Curtiss, Chairman):

1/27/1999

HJR 8, be adopted. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/26/1999

SB 67, introduced by Mahlum

SB 77, introduced by Keenan

SB 94, introduced by Nelson

SB 101, introduced by Franklin

SB 110, introduced by Ellis

SB 134, introduced by Mahlum

SB 151, introduced by Toews

SB 159, introduced by Devlin

SB 162, introduced by Crismore

SB 166, introduced by Lynch

SB 176, introduced by Bohlinger

SB 178, introduced by Nelson

SB 188, introduced by Beck

SB 189, introduced by Berry

SB 192, introduced by Bohlinger

SB 193, introduced by Hargrove

SB 194, introduced by Halligan

SB 195, introduced by Lynch

FIRST READING AND COMMITMENT OF BILLS

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The following House bills were introduced, read first time, and referred to committees:

HB 393, introduced by D. Fuchs, C. Ahner, G. Beck, R. Dale, D. Haines, C. Hibbard, J. Mercer, K. Ohs, S. Stang, E. Swanson, referred to Taxation.

HB 394, introduced by C. Ahner, H. Harper, referred to Business and Labor.

HB 395, introduced by T. Facey, J. Ellingson, referred to Business and Labor.

HB 396, introduced by G. Masolo, E. Clark, T. Hagener, D. Hedges, S. Kitzenberg, D. Mahlum, J. McKenney, W. McNutt, B. Pavlovich, B. Rehbein, S. Rose, J. Witt, referred to Business and Labor.

HB 397, introduced by D. Ewer, referred to Taxation.

HB 398, introduced by B. Molnar, C. Ahner, M. Brainard, R. Brown, T. Dell, D. Fuchs, H. Harper, S. Kitzenberg, B. Raney, L. Soft, J. Wells, referred to Fish, Wildlife and Parks.

HB 399, introduced by M. Guggenheim, C. Christiaens, J. Cobb, T. Dell, R. Erickson, G. Gutsche, T. Hagener, J. Hurdle, B. Kasten, B. Krenzler, C. Squires, C. Tuss, C. Williams, referred to Human Services.

HB 400, introduced by M. Guggenheim, S. Bartlett, R. Buzzas, C. Christiaens, E. Clark, J. Ellingson, S. Gallus, G. Gutsche, M. Hanson, J. Hurdle, C. Juneau, B. Krenzler, T. Schmidt, C. Squires, C. Tuss, C. Williams, referred to Business and Labor.

HB 401, introduced by B. Lawson, referred to Education.

HB 402, introduced by R. Johnson, referred to Business and Labor.

HB 403, introduced by B. Raney, referred to Taxation.

HB 404, introduced by B. Thomas, E. Bergsagel, D. Ewer, J. Quilici, E. Swanson, F. Thomas, referred to Appropriations.

HB 405, introduced by D. Fuchs, referred to Taxation.

HB 406, introduced by C. Williams, S. Doherty, D. Eck, R. Erickson, S. Gallus, G. Gutsche, H. Harper, D. Harrington, C. Juneau, B. Krenzler, D. Mahlum, L. McCulloch, D. Shea, S. Stang, E. Swanson, referred to Appropriations.

The following Senate bill was introduced, read first time, and referred to committee:

SB 194, introduced by M. Halligan, B. Crippen, B. Glaser, L. Grosfield, J. Harp, B. Kasten, S. Stang, B. Story, referred to Appropriations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative S. Anderson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 56 - Representative Johnson moved **SB 56** be concurred in. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 83

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Bitney, R. Clark, Cobb, Davies, Ewer, Jore, McGee, Orr, Rehbein, Simon, Wagner, Walters.

Total 16

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

SB 79 - Representative Johnson moved **SB 79** be concurred in. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Bitney, R. Clark, Cobb, Davies, Jore, Orr, Rehbein, Wagner.

Total 12

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

SB 80 - Representative Johnson moved **SB 80** be concurred in. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, Ahner, E. Bergsagel, Davies, Jore, Orr, Rehbein, Vick.

Total 8

Excused: None.

Total 0

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Absent or not voting: Molnar.
Total 1

HB 79 - Representative Brainard moved **HB 79** do pass.

HB 79 - Representative Brainard moved **HB 79**, second reading copy, be amended as follows :

1. Page 46, line 28 through page 47, line 3.

Strike: ":" on line 28 through "(b)" on page 47, line 3

Insert: ", "

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, Masolo, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 59

Noes: Barnhart, Beck, Buzzas, P. Clark, Eggers, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Mangan, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 40

Excused: None.
Total 0

Absent or not voting: Molnar.
Total 1

HB 79 - Representative Brainard moved **HB 79**, second reading copy, be further amended as follows :

1. Page 46, line 13.

Strike: "Subject to [section 59(3)], any"

Insert: "Any"

2. Page 47, line 26.

Following: "employer."

Insert: "If a member either becomes inactive or terminates plan membership before fully repaying a loan, including interest, and fails to repay the loan under the prescribed terms, the outstanding portion of the loan, including interest, must be considered a lump-sum distribution from the member's account and is subject to applicable tax laws."

3. Page 47, line 27 through line 28.

Strike: subsection (3) in its entirety

Renumber: subsequent subsection

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4. Page 48, line 3.

Strike: ", subject to [section 59],"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 55

Noes: Barnhart, Beck, Buzzas, P. Clark, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Mangan, Masolo, Matthews, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Smith, Squires, Swanson, Trexler, Tropila, Tuss, Williams, Wyatt.

Total 43

Excused: None.

Total 0

Absent or not voting: McCann, Molnar.

Total 2

HB 79 - Representative Grinde moved consideration of **HB 79** be passed for the day. Motion carried.

HB 98 - Representative Simon moved **HB 98** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Beck, E. Bergsagel, P. Bergsagel, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Ewer, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Haines, Hanson, Harrington, Hedges, Hibbard, Hurdle, Jackson, Kitzenberg, Krenzler, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Schmidt, Shockley, Simon, Sliter, Soft, Squires, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 62

Noes: Adams, Barnett, Barnhart, Bitney, Bookout-Reinicke, Brainard, Buzzas, P. Clark, Dell, Eggers, Erickson, Facey, Galvin-Halcro, Gutsche, Hagener, Harper, Holden, Johnson, Jore, Juneau, Kasten, Lawson, Lenhart, Lindeen, Mangan, McCann, Molnar, Peck, Raney, Rose, Ryan, Smith, Somerville, Story, Stovall, Swanson, Vick, Witt.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 155 - Representative Pavlovich moved **HB 155** do pass. Motion carried as follows:

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Ayes: Ahner, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Squires, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 78

Noes: Adams, J. Andersen, P. Bergsagel, Bitney, Brown, Curtiss, Davies, Jackson, Jore, Kasten, Mangan, Orr, Rehbein, Somerville, Story, Stovall, Thomas, Vick, Wagner, Walters.

Total 20

Excused: None.

Total 0

Absent or not voting: Molnar, Simon.

Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Rehbein.

Total 1

Excused: None.

Total 0

Absent or not voting: S. Anderson, Buzzas, Molnar, Schmidt.

Total 4

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 186 passed as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

HB 283 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: McGee.

Total 1

Excused: None.

Total 0

Absent or not voting: Gallus, Molnar.

Total 2

HB 254 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville,

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Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: P. Bergsagel, Brainard, Davies, Jore, Orr.

Total 5

Excused: None.

Total 0

Absent or not voting: Bookout-Reinicke, Molnar.

Total 2

HB 264 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, P. Bergsagel, Curtiss, Davies, Jore, McGee, Orr, Wagner.

Total 8

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

HB 277 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 84

Noes: Adams, P. Bergsagel, Brainard, Curtiss, Davies, Jore, McGee, Orr, Rehbein, Shockley, Somerville, Story, Taylor.

Total 13

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Excused: None.
Total 0

Absent or not voting: Gutsche, Holden, Molnar.
Total 3

HB 284 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 87

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Davies, Jore, McGee, Orr, Vick, Wagner.
Total 11

Excused: None.
Total 0

Absent or not voting: Molnar, Trexler.
Total 2

HB 125 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 88

Noes: Adams, E. Bergsagel, P. Bergsagel, P. Clark, Fuchs, Jore, Orr, Rehbein, Vick, Wagner.
Total 10

Excused: None.
Total 0

Absent or not voting: Molnar, Williams.
Total 2

HB 136 passed as follows:

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Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 86

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Cobb, Curtiss, Davies, Jore, McGee, Orr, Rehbein, Vick, Wagner.
Total 13

Excused: None.
Total 0

Absent or not voting: Molnar.
Total 1

HB 192 passed as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 66

Noes: Ahner, Barnhart, Beck, P. Bergsagel, Buzzas, Cobb, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Hagener, Harper, Harrington, Jore, Juneau, Lindeen, Mangan, Matthews, McCulloch, Menahan, Molnar, Peck, Raney, Ryan, Schmidt, Squires, Swanson, Tuss, Wyatt.
Total 34

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 53 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Erickson, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

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Total 82

Noes: Barnhart, Buzzas, Dell, Eggers, Ewer, Facey, Galvin-Halcro, Guggenheim, Gutsche, Harper, Hurdle, Peck, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 17

Excused: None.

Total 0

Absent or not voting: Pavlovich.

Total 1

HB 47 passed as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: McGee, Vick.

Total 2

Excused: None.

Total 0

Absent or not voting: Ahner.

Total 1

HB 214 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Pavlovich, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: P. Bergsagel, Buzzas, Eggers, Grinde, Lawson, Ohs, Orr, Rose, Taylor, Vick.

Total 10

Excused: None.

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Total 0

Absent or not voting: Williams.

Total 1

HB 216 failed as follows:

Ayes: S. Anderson, Barnhart, Beck, Bookout-Reinicke, E. Clark, Dale, Dell, Facey, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Hanson, Harrington, Hedges, Juneau, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Ohs, Pavlovich, Quilici, Rehbein, Ryan, Shockley, Sliter, Smith, Squires, Story, Stovall, Tash, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook.

Total 48

Noes: Adams, Ahner, J. Andersen, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Davies, Eggers, Erickson, Ewer, Fisher, Gillan, Guggenheim, Gutsche, Haines, Harper, Hibbard, Hurdle, Jackson, Johnson, Jore, Kasten, Krenzler, Lawson, McCann, McGee, Noennig, Orr, Peck, Raney, Rose, Schmidt, Simon, Soft, Somerville, Swanson, Taylor, Thomas, Trexler, Vick, Walters, Mr. Speaker.

Total 50

Excused: None.

Total 0

Absent or not voting: Hagener, Holden.

Total 2

HB 220 passed as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Zook, Mr. Speaker.

Total 80

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Brainard, P. Clark, Curtiss, Davies, Jackson, Jore, McGee, Molnar, Orr, Rehbein, Story, Vick, Wagner, Wyatt.

Total 18

Excused: None.

Total 0

Absent or not voting: Pavlovich, Younkin.

Total 2

HB 156 passed as follows:

Ayes: C. Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers,

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Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Adams, Curtiss, Jore, Orr.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Grinde moved that **HB 79** be taken from the 2nd reading board, amendments engrossed and printed, and be placed on 2nd reading at a future date. Motion carried.

Representative Harrington requested on **HB 192**, 3rd reading today, that his vote be changed from yes to no. Motion carried.

Representative Shockley requested on **HB 192**, 3rd reading today, that his vote be shown as yes. Motion carried.

Representative Tropila requested on **HB 53**, 3rd reading today, his vote be changed from yes to no. Motion carried.

Representative Barnett requested on **HB 216**, 3rd reading today, his vote be changed from yes to no. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Thursday, January 28, 1999. Motion carried.

House adjourned at 3:05 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

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Helena, Montana
January 28, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Schmidt. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/28/1999
Correctly printed: **HB 10, HB 12, HB 17, HB 106, HB 110, HB 121, HB 124, HB 204, HB 217, HB 218, HB 219, HB 221, HB 230, HB 232, HB 245, HB 302, HB 307, HB 308, HB 321, HB 322, HJR 8, SB 21, SB 55.**

Correctly engrossed: **HB 79, HB 98, HB 155, SB 56, SB 79, SB 80.**

AGRICULTURE (Barnett, Chairman): 1/27/1999
HB 217, do pass. Report adopted.
HB 218, do pass. Report adopted.
HB 219, do pass. Report adopted.
HB 221, introduced bill, be amended as follows:

1. Page 2, line 6 through line 10.

Strike: "A" on line 6 through "If" on line 10

Insert: "A person who objects to weed control measures bordering a state or county highway right-of-way and who does not enter a voluntary agreement pursuant to subsections (1) and (2) and if"

And, as amended, do pass. Report adopted.

HB 232, introduced bill, be amended as follows:

1. Page 6, line 4.

Following: "state"

Insert: "[commercial feed, except a customer formula feed, or]"

2. Page 6, line 9.

Following: "feeds"

Insert: "[commercial feeds and]"

3. Page 6, line 11.

Following: "registration"

Insert: "[of commercial feed or]"

4. Page 6, line 19.

Following: "feed"

Insert: "[any commercial feed or]"

5. Page 15, line 27.

Following: "80-9-201(6)(a)"

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Insert: ", (6)(b), (7), and (8)"

And, as amended, do pass. Report adopted.

HB 307, do pass. Report adopted.

APPROPRIATIONS (Zook, Chairman):

1/27/1999

HB 10, introduced bill, be amended as follows:

1. Page 3.

Following: line 22

Strike: section 6 in its entirety

Renumber: subsequent sections

2. Page 4, line 24.

Strike: "\$5,000"

Insert: "\$15,000"

3. Page 4, following line 26.

Insert: "NEW SECTION. **Section 8. Transportation to nutrition sites -- appropriation.** There is appropriated \$11,000 from the stripper well payments contained in the federal special revenue fund to the department of public health and human services for grants to the area agencies on aging to provide transportation for seniors to nutrition sites. The area agencies on aging shall apply to the department of public health and human services for these funds."

4. Page 4, line 28 through page 5, line 7.

Strike: section 9 in its entirety

Renumber: subsequent sections

5. Page 5, line 12.

Insert: "NEW SECTION. **Section 10. Montana public and private organizations becoming consortium partners -- appropriation.** There is appropriated \$50,000 from the stripper well payments contained in the federal special revenue fund to the department of environmental quality to provide a grant to the national center for appropriate technology to initiate the formation of a Montana advanced transportation technologies consortium focusing on vehicles traditionally powered by two-stroke engines. The national center for appropriate technology will integrate its transportation technology development services with other western regional consortium and national programs, as recommended by the western governors' association and the western interstate energy board, to provide specialized business assistance, to attract development financing and production capital, and to promote regional industrial growth for the clean transportation technologies fostered by the consortium."

6. Page 5, line 17.

Following: "pursuant to 10 CFR 420."

Insert: "There is reappropriated up to \$40,000 of stripper well payments contained in the federal special revenue fund at the department of administration to help establish a refueling infrastructure that will support the use of ethanol-fueled vehicles."

7. Page 5, line 20.

Following: "4"

Strike: ", 5" through "and"

Insert: "through"

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8. Page 5, line 21.

Following: "4"

Strike: ", 5" through "and"

Insert: "through"

9. Page 5, line 25 through line 27.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

10. Page 5, line 29.

Following: "funds"

Insert: "for the state energy program"

Following: "unspent funds available"

Insert: "at the department of environmental quality. Total expenditures of stripper well funds to help establish a refueling infrastructure that will support the use of ethanol-fueled vehicles may not exceed \$70,000 for the 1999 and 2001 biennia"

And, as amended, do pass. Report adopted.

HB 12, introduced bill, be amended as follows:

1. Page 4.

Strike: line 1 through line 5

Insert: "Special Education Building, Billings
Department of Administration
Justice Building
Department of Transportation
Signal Light Retrofit Project
University of Montana
Grizzly Pool"

And, as amended, do pass. Report adopted.

HB 110, do pass. Report adopted.

SB 34, be concurred in. Report adopted.

SB 55, be amended as follows:

1. Page 6, line 18.

Strike: "1999"

Insert: "2001"

And, as amended, be concurred in. Report adopted.

EDUCATION (Masolo, Chairman):

1/28/1999

HB 301, introduced bill, be amended as follows:

1. Title, line 6.

Following: "CONDITIONS;"

Insert: "LIMITING THE LENGTH OF TIME AN UNLICENSED SPEECH-LANGUAGE PATHOLOGIST OR

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AUDIOLOGIST MAY BE EMPLOYED;"

2. Title, line 7.

Following: the first "DATE"

Strike: "AND"

Insert: ", "

Following: second "DATE"

Insert: ", AND A TERMINATION DATE"

3. Page 1, line 25 through line 27.

Strike: "must" on line 25 through "meeting" on line 27

Insert: "is enrolled in an accredited graduate program in communication sciences and disorders and taking the minimum number of hours of coursework required each academic year necessary in order to meet"

4. Page 2, line 4.

Following: "weeks"

Insert: "and has also advertised the vacancy during that same period with the state job service, the Montana university system placement service, the American speech-language-hearing association employment placement service, the Montana speech-language-hearing association employment placement service, and a daily Montana newspaper"

5. Page 2.

Following: line 8

Insert: "(d) A school district or special education cooperative hiring an unlicensed person under subsection (2)(b) shall readvertise the vacancy upon the completion of each school fiscal year and may continue to employ the unlicensed person only upon compliance with the requirements of subsection (2) each year. The maximum length of time that an unlicensed individual may be employed in the state under subsection (2)(b) is 3 years from the date of initial hire."

6. Page 4.

Following: line 2

Insert: "NEW SECTION. Section 5. Termination. [This act] terminates June 30, 2003."

And, as amended, do pass. Report adopted.

SJR 2, be concurred in. Report adopted.

HUMAN SERVICES (Soft, Chairman):

1/28/1999

HB 111, introduced bill, be amended as follows:

1. Title, lines 11 and 12.

Strike: "PROVIDING CIVIL" on line 11 through "RESULTS;" on line 12

2. Page 2, line 7.

Strike: "8"

Insert: "7"

3. Page 3, line 27.

Strike: "8"

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Insert: "7"

4. Page 4, line 2.

Strike: "8"

Insert: "7"

5. Page 4, line 3.

Following: "means"

Insert: ", unless otherwise provided by Public Law 104-191,"

6. Page 4, line 4.

Following: "routine procedures"

Insert: ", including family history,"

7. Page 6, line 5 through page 7, line 5.

Strike: section 8 in its entirety

Renumber: subsequent sections

8. Page 7, lines 7 and 9.

Strike: "8"

Insert: "7"

And, as amended, do pass. Report adopted.

HB 126, introduced bill, be amended as follows:

1. Page 6, line 30.

Strike: the second "or"

Insert: "and"

2. Page 7, line 1.

Strike: "is"

Insert: "and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are"

3. Page 7, line 3.

Strike: "if"

Insert: "unless"

4. Page 7, lines 4 and 5.

Strike: "acts" on line 4 through "circumstances" on line 5

Insert: "or the person providing cardiopulmonary resuscitation, as applicable, acts with willful or with wanton disregard for the care of the person upon whom the AED is or may be used"

5. Page 7, line 7.

Strike: "willful or wanton misconduct or"

6. Page 7, lines 12 and 13.

Strike: subsection (b) in its entirety

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Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

JUDICIARY (Clark, Chairman):

1/27/1999

HB 106, introduced bill, be amended as follows:

1. Page 6, line 22.

Strike: "and that"

Insert: "to ensure that the state statute explicitly "

2. Page 6, line 27.

Strike: "and that"

Insert: "to ensure that the state statute explicitly "

And, as amended, do pass. Report adopted.

HB 308, do pass. Report adopted.

LOCAL GOVERNMENT (Ahner, Chairman):

1/27/1999

HB 17, introduced bill, be amended as follows:

1. Page 1, line 27.

Strike: "a significantly greater amount of waste than"

Insert: "at least 20% more waste than the average for"

And, as amended, do pass. Report adopted.

HB 204, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "INSTITUTIONS"

Insert: ", WITH THE INTEREST TO BE USED TO HELP DEFRAY THE COURT'S ADMINISTRATION COSTS"

2. Title, page 1, line 6.

Strike: "DOUBLING TO \$10,000"

Insert: "INCREASING"

3. Title, page 1, line 7.

Following: "COURTS"

Insert: "TO \$7,000; PROVIDING THAT IF A REQUIRED UNDERTAKING IS NOT FILED WITHIN 10 DAYS AFTER A NOTICE OF APPEAL IS FILED, THE COURT FROM WHICH THE APPEAL WAS TAKEN SHALL DISMISS THE NOTICE OF APPEAL;"

4. Page 1, line 13.

Following: "institution."

Insert: "The interest earned on the interest-bearing account must be used to help defray the administrative costs of the court."

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5. Page 1, line 14.

Following: line 13

Insert: "NEW SECTION. Section 2. Dismissal for failure to timely file required undertaking. If an undertaking required by this part is not filed within 10 days after the filing of a notice of appeal, the court from which the appeal was taken shall dismiss the notice of appeal."

Renumber: subsequent sections

6. Page 2, lines 10, 11, 14, 19, 20, 24, and 26.

Strike: "\$10,000"

Insert: "\$7,000"

7. Page 3, line 2.

Following: "instruction."

Insert: "(1)"

8. Page 3, line 5.

Insert: "(2) [Section 2] is intended to be codified as an integral part of Title 25, chapter 33, part 2, and the provisions of Title 25 apply to [section 2]."

And, as amended, do pass. Report adopted.

HB 230, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):

1/28/1999

HB 124, introduced bill, be amended as follows:

1. Page 1, line 23.

Following: "annually"

Insert: "by the state"

And, as amended, do pass. Report adopted.

HJR 3, be adopted. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/27/1999

SB 68, introduced by Mahlum

SB 128, introduced by Christiaens

SB 155, introduced by Berry

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 407, introduced by C. Younkin, T. Beck, J. Cobb, L. Grinde, L. Grosfield, M. McCann, K. Mesaros, K. Ohs,

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C. Swysgood, referred to Judiciary.

HB 408, introduced by C. Younkin, referred to Local Government.

HB 409, introduced by S. Vick, referred to State Administration.

HB 410, introduced by S. Vick, referred to State Administration.

HB 411, introduced by D. Ewer, C. Ahner, S. Bartlett, D. Grimes, H. Harper, C. Hibbard, B. Lawson, G. Masolo, referred to Local Government.

HB 412, introduced by C. Juneau, G. Beck, R. Buzzas, B. Eggers, K. Gillan, M. Guggenheim, H. Harper, J. Hurdle, S. Kitzenberg, B. Krenzler, M. McCann, J. Mercer, G. Roush, F. Smith, C. Williams, referred to Natural Resources.

HB 413, introduced by G. Beck, T. Beck, P. Sliter, referred to Appropriations.

HB 414, introduced by R. Johnson, referred to Appropriations.

HB 415, introduced by V. Jackson, referred to Human Services.

HB 416, introduced by P. Clark, referred to Business and Labor.

HB 417, introduced by P. Clark, referred to Fish, Wildlife and Parks.

HB 418, introduced by B. Pavlovich, D. Hargrove, J. Quilici, D. Shea, referred to Taxation.

HB 419, introduced by L. McCulloch, A. Bishop, K. Gillan, B. Lawson, R. Somerville, S. Stang, referred to Education.

HB 420, introduced by R. Dale, T. Beck, J. Bohlinger, B. Crippen, B. DePratu, G. Devlin, L. Grinde, J. Hertel, D. Mahlum, J. Mercer, K. Ohs, P. Sliter, R. Somerville, S. Stang, B. Tash, referred to Taxation.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 12, introduced by C. Juneau, G. Beck, R. Buzzas, B. Eggers, K. Gillan, H. Harper, J. Hurdle, S. Kitzenberg, B. Krenzler, M. McCann, L. McCulloch, G. Roush, F. Smith, C. Williams, referred to State Administration.

MOTIONS

Representative Pavlovich requested that the House reconsider its 3rd reading vote on **HB 216** and place it on 3rd reading on Monday, Legislative Day 25, 2/1/1999. Motion carried as follows:

Ayes: Ahner, Beck, Bookout-Reinicke, E. Clark, Dale, Dell, Eggers, Erickson, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Hagener, Hanson, Harrington, Hedges, Juneau, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Pavlovich, Quilici, Rehbein, Ryan, Shockley, Simon, Sliter, Smith, Squires, Story, Stovall, Tash, Taylor, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 52

Noes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Davies, Facey, Guggenheim, Gutsche, Haines, Harper, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Krenzler, Lawson, McGee, Mood, Noennig, Ohs, Orr, Peck, Raney, Schmidt, Soft, Somerville, Swanson, Thomas, Trexler, Vick, Walters.

Total 45

Excused: None.

Total 0

Absent or not voting: Ewer, McCann, Rose.

Total 3

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Mangan in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 69 - Representative McCann moved **HB 69** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 319 - Representative Dale moved **HB 319** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 95

Noes: E. Bergsagel, Jore, McGee, Orr.

Total 4

Excused: None.

Total 0

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Absent or not voting: Mr. Speaker.
Total 1

HB 203 - Representative Shockley moved **HB 203** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 87

Noes: Adams, E. Bergsagel, P. Bergsagel, Gallus, Harper, Jore, McCann, Molnar, Orr, Raney, Rehbein, Vick.
Total 12

Excused: None.
Total 0

Absent or not voting: Kasten.
Total 1

HB 77 - Representative Hurdle moved **HB 77** do pass. Motion failed as follows:

Ayes: Barnhart, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Juneau, Krenzler, Lenhart, Mangan, McCulloch, Molnar, Peck, Raney, Schmidt, Squires, Swanson, Tuss, Williams, Wyatt.
Total 29

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 71

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 209 - Representative Shockley moved **HB 209** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener,

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Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, Brainard, Gallus, Jore, Lawson, Orr, Rehbein, Soft.

Total 8

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

HB 233 - Representative Schmidt moved **HB 233** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 85

Noes: Adams, P. Bergsagel, Brainard, Curtiss, Davies, Holden, Jore, McCann, Menahan, Orr, Rehbein, Story, Vick, Wagner.

Total 14

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

HB 257 - Representative Younkin moved **HB 257** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

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Noes: Adams, Brainard, Buzzas, Galvin-Halcro, Jore, McGee, Molnar, Orr, Rehbein, Shockley, Story, Wagner.
Total 12

Excused: None.
Total 0

Absent or not voting: Kasten.
Total 1

HB 357 - Representative Cobb moved **HB 357** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Kasten.
Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Mangan moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 94

Noes: Ewer, Molnar, Rehbein, Vick.
Total 4

Excused: None.
Total 0

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Absent or not voting: Barnhart, Juneau.
Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 56, as amended by the House, concurred in as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 84

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, R. Clark, Cobb, Davies, Jore, McGee, Orr, Peck, Rehbein, Vick, Wagner.
Total 14

Excused: None.
Total 0

Absent or not voting: Molnar, Sliter.
Total 2

SB 79, as amended by the House, concurred in as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 85

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, R. Clark, Cobb, Davies, Jore, McCann, McGee, Orr, Peck, Rehbein, Vick, Wagner.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 80 concurred in as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, Ahner, E. Bergsagel, Davies, Jore, Orr, Rehbein, Vick.

Total 8

Excused: None.

Total 0

Absent or not voting: Fuchs, Holden.

Total 2

HB 98 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brown, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Haines, Hanson, Harrington, Hedges, Hibbard, Hurdle, Jackson, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Squires, Story, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 66

Noes: Adams, S. Anderson, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gutsche, Hagener, Harper, Holden, Johnson, Jore, Juneau, Kasten, Lawson, McCann, Molnar, Pavlovich, Peck, Quilici, Raney, Smith, Somerville, Stovall, Swanson, Vick, Witt.

Total 34

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 155 passed as follows:

Ayes: Ahner, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck,

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Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 83

Noes: Adams, J. Andersen, P. Bergsagel, Brown, Davies, Jackson, Jore, Kasten, Mangan, Orr, Rehbein, Sliter, Somerville, Story, Stovall, Vick, Wagner.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Shockley requested on **HB 357** his vote be shown as yes. Motion carried.

SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HB 108**: Representatives Buzzas, Clark, Dell, Erickson, Facey, Gillan, Golie, Guggenheim, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lindeen, Mangan, Matthews, McCulloch, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Story, Taylor, Tuss, Williams, and Senators Bartlett, Beck, Bohlinger, Christiaens, Cocchiarella, DePratu, Doherty, Eck, Ellingson, Franklin, Glaser, Harp, Jergeson, Lynch, Mahlum, McCarthy, McNutt, Mesaros, Nelson, Roush, Shea, Sprague, Stang, Swysgood, Tester, Waterman, and Wilson.

The following cosponsors were added to **HB 406**: Representatives Dell, Galvin-Halcro, Gillan, Tuss, and Wyatt.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Friday, January 29, 1999. Motion carried.

House adjourned at 2:05 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
TWENTY-THIRD LEGISLATIVE DAY**

Helena, Montana
January 29, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Speaker Pro Tempore Mood in the Chair. Invocation by Representative Gillan. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Ewer, Molnar, Peck, and Tuss. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twenty-first and twenty-second legislative days, find the same to be correct.

Rehbein, Chairman

Mr. Speaker introduced the pages for the week:

Chris Bradford, Helena
Lisa Gallagher, Anaconda
Nick Janeway, Polson
Jamie Marks, Clancy
Roy Mears, Darby
Kristen Mischel, Helena
Matt White, Bozeman
Terra Stansberry, Missoula
Kristine Stanfield, Polson
Nathan Rediske, Helena

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/29/1999
Correctly printed: **HB 23, HB 111, HB 126, HB 132, HB 150, HB 153, HB 247, HB 248, HB 281, HB 282, HB 301, HB 320, HB 339, HB 360, SB 34, SB 53, SB 84, SB 106, SJR 2.**
Correctly engrossed: **HB 69, HB 203, HB 209, HB 233, HB 257, HB 319, HB 357.**

BUSINESS AND LABOR (Simon, Chairman): 1/28/1999
HB 150, introduced bill, be amended as follows:

1. Title, line 8.

Following: "CONTRACT;"

Insert: "REQUIRING THE SECRETARY OF STATE TO PROVIDE NOTICE TO CONTRACTING PARTIES OF THE REQUIREMENT; ALLOWING 90 DAYS TO BRING VOIDABLE CONTRACTS INTO COMPLIANCE;"

2. Page 2, line 11.

Following: "contract."

Insert: "The secretary of state shall provide written notice to the contracting parties regarding the requirement that a foreign corporation obtain a certificate of authority. The foreign corporation must be allowed 90 days from the date of the notice to obtain the certificate of authority, and an existing contract may not be voided prior to the expiration of the 90 days."

3. Page 3, line 2.

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Following: "failed to"

Strike: "receive"

Insert: "obtain"

4. Page 3, line 3.

Strike: "void"

Insert: "voidable by the state, the contracting state agency, or the contracting political subdivision"

5. Page 4, line 3.

Following: "contract."

Insert: "The secretary of state shall provide written notice to the contracting parties regarding the requirement that a foreign corporation obtain a certificate of authority. The foreign corporation must be allowed 90 days from the date of the notice to obtain the certificate of authority, and an existing contract may not be voided prior to the expiration of the 90 days."

6. Page 4, line 25.

Following: "failed to"

Strike: "receive"

Insert: "obtain"

7. Page 4, line 26.

Strike: "void"

Insert: "voidable by the state, the contracting state agency, or the contracting political subdivision"

8. Page 5, line 4.

Insert: "NEW SECTION. Section 7. Retroactive applicability. [This act] applies retroactively, within the meaning of 1-2-109, to contracts entered into on or subsequent to January 1, 1999."

And, as amended, do pass. Report adopted.

HB 153, introduced bill, be amended as follows:

1. Page 7, line 19.

Following: "filed"

Strike: "as a land sale"

2. Page 8, line 8.

Following: "within"

Strike: "30"

Insert: "3 business"

And, as amended, do pass. Report adopted.

HB 247, do pass. Report adopted.

HB 281, do pass. Report adopted.

HB 282, do pass. Report adopted.

HB 320, do pass. Report adopted.

JUDICIARY (Clark, Chairman):

HB 339, do pass. Report adopted.

1/28/1999

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HB 360, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "SHERIFF'S"

2. Title, line 5.

Strike: "SHERIFF'S"

And, as amended, do pass. Report adopted.

TAXATION (Hibbard, Chairman):

1/28/1999

HB 132, do pass. Report adopted.

HB 248, introduced bill, be amended as follows:

1. Page 2, lines 4 through 7.

Strike: subsection (3) in its entirety

Insert: "(3) The nonexclusive use of a public municipal or district water supply system or sanitary sewer system by an industrial or commercial user does not constitute a beneficial use of the water supply system or sanitary sewer system by the industrial or commercial user within the meaning of this section, whether the use is by written contract or pursuant to municipal or district ordinances and regulations."

And, as amended, do pass. Report adopted.

SB 53, be concurred in. Report adopted.

SB 84, be concurred in. Report adopted.

SB 88, be amended as follows:

1. Page 2, line 4.

Following: "session."

Insert: "If a county tax appeal board refuses or fails to hear a taxpayer's application that was timely filed at least 30 days prior to the commencement of its next regularly scheduled session, then the taxpayer's application is considered to be granted on the day following the board's final meeting for that year.
(b)"

2. Page 2, line 6.

Following: "year."

Insert: "If a taxpayer's application that was timely filed less than 30 days prior to the commencement of the next regularly scheduled session of the county tax appeal board is held over to a session in the following year and if the county tax appeal board refuses or fails to hear the application during the following session, then the application is considered to be granted on the day following the board's final meeting for that year."

3. Page 5, line 18.

Strike: "(3)(A)"

Insert: "(3)"

4. Page 5, line 21.

Following: ". "

Insert: "If during its current session, a county tax appeal board refuses or fails to hear a taxpayer's application that was timely filed by December 1, then the taxpayer's application is considered to be granted on the day

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following the board's final meeting for that year.
(b)"

5. Page 5, line 23.

Following: "year."

Insert: "If a taxpayer's application that was timely filed after December 1 of the current session of the county tax appeal board is held over to a session in the following year and if the county tax appeal board refuses or fails to hear the application during the following session, then the application is considered to be granted on the day following the board's final meeting for that year."

And, as amended, be concurred in. Report adopted.

SB 106, be concurred in. Report adopted.

TRANSPORTATION (Anderson, Chairman):
HB 23, introduced bill, be amended as follows:

1/28/1999

1. Page 2, line 4.

Following: "~~vehicle~~"

Insert: "and is priced competitively with the motor vehicle fuel otherwise used by the vehicle"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/28/1999

SB 115, introduced by Stang
SB 165, introduced by Lynch
SB 222, introduced by Doherty
SB 230, introduced by Grimes
SB 231, introduced by Jabs
SB 259, introduced by Grimes

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 421, introduced by C. Younkin, referred to Business and Labor.
HB 422, introduced by C. Younkin, referred to Appropriations.
HB 423, introduced by C. Trexler, referred to Natural Resources.
HB 424, introduced by J. Mangan, T. Dell, K. Galvin-Halcro, T. Hagener, referred to Judiciary.
HB 425, introduced by J. Mangan, T. Dell, K. Galvin-Halcro, T. Hagener, referred to Judiciary.
HB 426, introduced by R. Jore, referred to Judiciary.
HB 427, introduced by R. Jore, referred to Fish, Wildlife and Parks.
HB 428, introduced by B. Thomas, S. Bookout-Reinicke, E. Clark, R. Dale, M. Guggenheim, D. Haines, V. Jackson, referred to Business and Labor.
HB 429, introduced by J. Shockley, referred to Natural Resources.
HB 430, introduced by C. Squires, V. Cocchiarella, referred to Business and Labor.

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HB 431, introduced by J. Mercer, referred to Local Government.

HB 432, introduced by C. Tuss, K. Gillan, L. Grosfield, D. Mood, K. Ohs, B. Simon, E. Swanson, M. Taylor, referred to State Administration.

HB 433, introduced by C. Tuss, M. Brainard, R. Brown, J. Ellingson, E. Franklin, K. Galvin-Halcro, K. Gillan, B. Ryan, M. Sprague, J. Stovall, D. Wyatt, referred to Appropriations.

HB 434, introduced by R. Erickson, referred to Taxation.

MOTIONS

Representative Grinde moved that **HB 321** and **HB 322** be passed for the day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Vick in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 245 - Representative Simon moved **HB 245** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Grinde, Guggenheim, Gutsche, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lindeen, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 71

Noes: Adams, S. Anderson, Beck, E. Bergsagel, P. Bergsagel, Davies, Dell, Gallus, Galvin-Halcro, Gillan, Golie, Hagener, Harper, Hurdle, Jore, Kasten, Lenhart, Mangan, McCann, McGee, Orr, Rehbein, Smith, Story, Vick, Wyatt.

Total 26

Voted Absentee: Ewer, Fuchs, Molnar, Peck, Tuss, Ayes.

Excused: None.

Total 0

Absent or not voting: Cobb, Harrington, Wagner.

Total 3

HB 121 - Representative Krenzler moved **HB 121** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington,

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Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 87

Noes: Adams, S. Anderson, P. Bergsagel, Jore, Kasten, McGee, Orr, Rehbein, Story, Taylor, Vick.
Total 11

Voted Absentee: Ewer, Fuchs, Molnar, Peck, Tuss, Wagner, Ayes.

Excused: None.
Total 0

Absent or not voting: Cobb, Walters.
Total 2

HB 302 - Representative Krenzler moved **HB 302** do pass. Motion carried as follows:

Ayes: Ahner, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Dell, Eggers, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin.
Total 63

Noes: Adams, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Curtiss, Dale, Davies, Erickson, Fisher, Grinde, Haines, Hanson, Harper, Johnson, Jore, Kasten, Kitzenberg, Lawson, McGee, Orr, Raney, Rehbein, Rose, Sliter, Somerville, Story, Stovall, Taylor, Vick, Wagner, Walters, Zook, Mr. Speaker.
Total 36

Voted Absentee: Ewer, Fuchs, Molnar, Peck, Tuss, Ayes; Wagner, No.

Excused: None.
Total 0

Absent or not voting: Cobb.
Total 1

HB 149 - Representative Davies moved **HB 149** do pass.

HB 149 - Representative Davies moved **HB 149**, second reading copy, be amended as follows :

1. Title, line 11.

Following: "EXCEPTIONS;"

Insert: "GRANTING THE STATE IMMUNITY FROM LIABILITY;"

2. Page 1, line 15.

Following: "firearms"

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Insert: " -- state's immunity from liability"

3. Page 2, line 3.

Insert: "(3) Except for gross negligence or intentional misconduct of the state, the state is not liable in tort to a person or entity for damages caused by the use of a firearm on property owned, possessed, or controlled by the state by a state employee or agent not required to carry a firearm as a part of regular duties in the scope and course of employment or agent status with the state or by a guest or invitee as a condition of being a guest or invitee of the state."

4. Page 2, line 6.

Insert: "NEW SECTION. **Section 3. Two-thirds vote required.** Because [section 1(3)] limits governmental liability, Article II, section 18, of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage. If the required vote of two-thirds of the members of each house is not obtained, [section 1(3)] is void."

Renumber: subsequent section

Amendment passed as follows:

Ayes: Adams, Ahner, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lenhart, McGee, McKenney, Molnar, Mood, Ohs, Orr, Ryan, Shockley, Simon, Sliter, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 49

Noes: J. Andersen, S. Anderson, Barnhart, Bookout-Reinicke, Brown, Buzzas, Dell, Eggers, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Harper, Harrington, Holden, Hurdle, Juneau, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Noennig, Pavlovich, Quilici, Raney, Rehbein, Rose, Schmidt, Smith, Soft, Somerville, Squires, Tropila, Williams, Wyatt, Younkin.

Total 44

Voted Absentee: Molnar, Wagner, Ayes.

Excused: Ewer, Peck, Tuss.

Total 3

Absent or not voting: Cobb, Fuchs, Menahan, Swanson.

Total 4

Representative Simon excused at this time.

Motion that **HB 149**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Facey, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Jackson, Jore, Kasten, Kitzenberg, Lenhart, Matthews, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Somerville, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Mr. Speaker.

Total 56

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Noes: Barnhart, Beck, Buzzas, Dell, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Holden, Hurdle, Johnson, Juneau, Krenzler, Lawson, Lindeen, Mangan, Masolo, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Soft, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Wyatt, Zook.

Total 44

Voted Absentee: Fuchs, Molnar, Simon, Wagner, Ayes; Ewer, Peck, Tuss, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Peck present at this time.

HB 120 - Representative Brown moved **HB 120** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Bitney, Bookout-Reinicke, Brown, E. Clark, R. Clark, Curtiss, Davies, Dell, Ewer, Fisher, Fuchs, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Johnson, Kitzenberg, Krenzler, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Quilici, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 53

Noes: Adams, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brainard, Buzzas, P. Clark, Eggers, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Jackson, Jore, Juneau, Kasten, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Raney, Rehbein, Ryan, Schmidt, Squires, Story, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 45

Voted Absentee: Ewer, Fuchs, Molnar, Simon, Wagner, Ayes; Tuss, No.

Excused: None.

Total 0

Absent or not voting: Cobb, Dale.

Total 2

HB 113 - Representative Younkin moved **HB 113** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 91

Noes: Adams, E. Bergsagel, P. Bergsagel, R. Clark, Jore, Rehbein.

Total 6

Voted Absentee: Ewer, Fuchs, Molnar, Tuss, Wagner, Ayes.

Excused: None.

Total 0

Absent or not voting: Cobb, McCann, Simon.

Total 3

HB 35 - Representative Ahner moved **HB 35** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Ewer, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kitzenberg, Krenzler, Masolo, McCann, McKenney, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Shockley, Sliter, Soft, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 64

Noes: Barnhart, Beck, P. Bergsagel, Brainard, Buzzas, P. Clark, Eggers, Erickson, Facey, Galvin-Halcro, Gutsche, Harper, Harrington, Hurdle, Juneau, Kasten, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, Mood, Raney, Schmidt, Smith, Somerville, Squires, Swanson, Tuss, Vick, Williams, Wyatt.

Total 34

Voted Absentee: Ewer, Fuchs, Molnar, Wagner, Ayes; Tuss, No.

Excused: None.

Total 0

Absent or not voting: Cobb, Simon.

Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Mood in the chair. Chairman Vick moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 84

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Noes: Barnhart, Gillan, Raney, Rehbein.
Total 4

Excused: Ewer, Molnar, Tuss.
Total 3

Absent or not voting: Beck, Bookout-Reinicke, P. Clark, Cobb, Fuchs, Haines, Jackson, Simon, Wagner.
Total 9

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 69 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Brainard.
Total 1

Voted Absentee: Ewer, Fuchs, Molnar, Tuss, Ayes.

Excused: None.
Total 0

Absent or not voting: Cobb, Simon, Wagner.
Total 3

HB 319 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 93

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Noes: Jore, Orr, Vick.
Total 3

Voted Absentee: Ewer, Fuchs, Molnar, Tuss, Ayes.

Excused: None.
Total 0

Absent or not voting: Cobb, Mood, Simon, Wagner.
Total 4

HB 203 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Adams, E. Bergsagel, P. Bergsagel, Jore, Molnar, Orr, Rehbein.
Total 7

Voted Absentee: Ewer, Fuchs, Tuss, Ayes; Molnar, No.

Excused: None.
Total 0

Absent or not voting: Cobb, Simon, Wagner, Younkin.
Total 4

HB 209 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 90

Noes: Adams, Brainard, Jore, Orr, Rehbein, Soft, Vick.
Total 7

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Voted Absentee: Ewer, Fuchs, Molnar, Tuss, Ayes.

Excused: None.
Total 0

Absent or not voting: Cobb, Simon, Wagner.
Total 3

HB 233 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 83

Noes: Adams, Brainard, Curtiss, Davies, Holden, Jore, McCann, Orr, Rehbein, Story, Trexler.
Total 11

Voted Absentee: Ewer, Fuchs, Molnar, Tuss, Ayes.

Excused: None.
Total 0

Absent or not voting: Cobb, Facey, Kasten, Menahan, Simon, Wagner.
Total 6

HB 257 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 86

Noes: Adams, Brainard, Galvin-Halcro, Jore, Molnar, Orr, Rehbein, Shockley, Story.
Total 9

Voted Absentee: Ewer, Fuchs, Tuss, Ayes; Molnar, No.

Excused: None.
Total 0

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Absent or not voting: E. Bergsagel, Cobb, Eggers, Simon, Wagner.
Total 5

HB 357 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Ewer, Fuchs, Molnar, Tuss, Ayes.

Excused: None.
Total 0

Absent or not voting: Cobb, Gallus, Simon, Wagner.
Total 4

MOTIONS

Representative Galvin-Halcro requested that **HB 108** be taken from the Committee on Taxation, be printed and placed on 2nd reading on Saturday, Legislative Day 24, 1/30/1999. Motion failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Squires, Swanson, Tropila, Williams, Wyatt.
Total 37

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 56

Excused: Ewer, Molnar, Tuss.
Total 3

Absent or not voting: Cobb, Fuchs, Simon, Wagner.
Total 4

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ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 10:00 a.m., Saturday, January 30, 1999. Motion carried.

House adjourned at 3:00 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker Pro Tempore of the House

**HOUSE JOURNAL
TWENTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
January 30, 1999

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker in the Chair. Invocation by House page Lisa Gallagher. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Hibbard, Hurdle, McCann, McGee, Molnar, Simon, Tuss, Vick, and Wagner, excused. Quorum present.

Speaker Mercer introduced the honorary pages for the day:

Kyle Johnson, Alberton
Courtney Peck, Bozeman
Lilly Anne Stanfield, Polson

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 1/30/1999
Correctly printed: **HB 107, HB 152, HB 168, HB 211, HB 382, SB 7, SB 20, SB 88.**
Correctly engrossed: **HB 35, HB 113, HB 120, HB 121, HB 149, HB 245, HB 302.**

AGRICULTURE (Barnett, Chairman): 1/29/1999
SB 7, be concurred in. Report adopted.

APPROPRIATIONS (Zook, Chairman): 1/29/1999
SB 194, be concurred in. Report adopted.

BUSINESS AND LABOR (Simon, Chairman): 1/29/1999
HB 337, introduced bill, be amended as follows:

1. Page 2, line 9.

Strike: subsection (7) in its entirety

Renumber: subsequent subsections

2. Page 3, line 5.

Following: "5-15-201."

Insert: "the commission"

3. Page 6, line 1 through line 2.

Strike: "Utilities" on line 1 through "1999."

Insert: "To collect this amount of funds on an annualized basis in 1999, the commission shall establish rates for utilities subject to its jurisdiction and the governing boards of cooperatives shall establish rates for the cooperatives."

4. Page 6, line 11.

Following: "(7). "

Insert: "The department of revenue shall review claimed credits of the utilities and large customers pursuant to [section 6]."

5. Page 7, line 28.

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Page 8, lines 4, 15, 18, and 19.

Page 9, lines 7, 20 (after second "department"), and 29.

Page 10, lines 1, 3, 7, 9, 10, 11, 12, 13, 14, 15, 16 (two places), 20 (two places), 22, 24, 27, and 28.

Following: "department" or "department"

Insert: "of revenue"

6. Page 10, lines 4, 29, and 30.

Page 11, line 1.

Strike: "department's"

Insert: "department of revenue's"

And, as amended, do pass. Report adopted.

HB 390, introduced bill, be amended as follows:

1. Title, line 4.

Following: "PERMITTING"

Strike: "A BOARD"

Insert: "THE BOARD OF PLUMBERS AND THE STATE ELECTRICAL BOARD"

2. Title, line 5.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "37-1-305,"

Insert: "37-68-311, AND 37-69-306,"

3. Page 1, line 20.

Strike: "subsection (3)"

Insert: "37-68-311 and 37-69-306"

4. Page 1, line 23 through line 27.

Strike: subsection (3) in its entirety

Insert: "**Section 2.** Section 37-68-311, MCA, is amended to read:

"37-68-311. Examination fee -- license fee -- specific exemption for apprentices. (1) Master electricians and journeyman or residential electricians installing or intending to install for hire electric wiring or equipment to convey electric current or apparatus to be operated by this current shall make application for a license to the department. The application must be on a form furnished by the department and must be accompanied by an examination fee set by the board. The forms must state the applicant's full name and address, the extent of work experience, and other information required by the board. If the applicant has complied with the rules adopted by the board and, being qualified, has successfully completed the examination, the applicant shall pay to the department a license fee set by the board for a master electrician's license or for a journeyman or a residential electrician's license, and upon receipt of the fee the department shall issue the proper license to the applicant.

(2) A person serving a 4-year electrician apprenticeship under the supervision of a licensed electrician is exempt from the licensing provision of this section during training. Credit for the time spent in an electrical school must be given to the master electrician, journeyman electrician, residential electrician, or apprentice, up to a total of 2 years, on the 4-year requirement.

(3) In addition to the temporary permits authorized in 37-1-305, the board may, on a case-by-case basis at the board's discretion and in accordance with criteria determined by the board, renew a temporary practice permit for a person who fails the first license examination for which the person is eligible but who submits a temporary

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practice permit renewal application to the board stating that the person intends to retake the license examination on the next available date."

Insert: "Section 3. Section 37-69-306, MCA, is amended to read:

"37-69-306. Examination -- issuance of license. (1) An applicant for a license to work in the field of plumbing shall be examined as to his qualifications by the department, subject to 37-1-101(4). The department shall examine each applicant for a license to determine his skill and qualifications as a master plumber or journeyman plumber.

(2) The applicant, upon successfully passing the examination prescribed by the board, shall be issued a license authorizing him to engage in the field of plumbing as a master plumber or journeyman plumber in the state of Montana.

(3) In the case of a firm or corporation, the examination and issuance of a license to an individual of the firm or to a principal of the firm or corporation satisfies the requirements of this chapter as to master plumbers but not as to journeyman plumbers. No individual, firm, or corporation may do the work of a master plumber unless licensed under this chapter.

(4) In addition to the temporary permits authorized in 37-1-305, the board may, on a case-by-case basis at the board's discretion and in accordance with criteria determined by the board, renew a temporary practice permit for a person who fails the first license examination for which the person is eligible but who submits a temporary practice permit renewal application to the board stating that the person intends to retake the license examination on the next available date."

And, as amended, do pass. Report adopted.

JUDICIARY (Clark, Chairman):

1/29/1999

HB 382, do pass. Report adopted.

SB 20, be amended as follows:

1. Page 2, line 18 through line 19.

Strike: subsection (3) in its entirety

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Ahner, Chairman):

1/29/1999

HB 107, do pass. Report adopted.

HB 211, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "CUSTOMERS"

Insert: "OF A PUBLIC UTILITY"

2. Page 1, line 17.

Following: "customers"

Insert: "of a public utility"

3. Page 1, line 22.

Following: "each"

Insert: "public"

And, as amended, do pass. Report adopted.

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TAXATION (Hibbard, Chairman):

1/29/1999

HB 152, introduced bill, be amended as follows:

1. Page 1, lines 10 through 12.

Strike: subsection (1) in its entirety

Insert: "(1) A public library district must contain one of the following:

- (a) the entire territory of a county;
 - (b) the entire territory of a county and a part of the territory of one or more contiguous counties; or
 - (c) contiguous parts of the territory of two or more adjacent counties.
- (2) A public library district may include incorporated municipalities within a county."

Renumber: subsequent subsection

2. Page 1, line 22.

Following: "(a)"

Insert: "(i)"

Following: " ; "

Insert: "and"

3. Page 1.

Following: line 22

(ii) a map showing the boundaries of the proposed district;

4. Page 2.

Following: line 17

Insert: "(8) If part of the territory of an existing county free library created under 22-1-303 is included within the boundaries of a newly created or enlarged public library district, then the governing body of the county shall adjust the boundaries of the existing county free library to exclude the territory of the library district. Property located within the newly created or enlarged library district is not subject to county free library levies, except for levies assessed for existing bonded indebtedness."

And, as amended, do pass. Report adopted.

HB 168, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/29/1999

SB 40, introduced by Grimes

SB 217, introduced by Miller

Senate bills passed and transmitted to the House for concurrence:

1/30/1999

SB 200, introduced by Taylor

SB 213, introduced by Grosfield

FIRST READING AND COMMITMENT OF BILLS

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The following House bills were introduced, read first time, and referred to committees:

HB 435, introduced by P. Clark, referred to Fish, Wildlife and Parks.

HB 436, introduced by D. Harrington, C. Juneau, S. Kitzenberg, J. Lynch, J. Quilici, B. Raney, D. Shea, B. Thomas, M. Waterman, referred to Transportation.

HB 437, introduced by B. Kasten, M. McCann, S. Stang, referred to Appropriations.

HB 438, introduced by B. Eggers, S. Doherty, G. Golie, G. Gutsche, H. Harper, G. Jergeson, C. Juneau, B. Krenzler, R. Lenhart, J. Mercer, R. Peck, B. Raney, B. Rehbein, J. Shockley, F. Smith, E. Swanson, referred to Fish, Wildlife and Parks.

HB 439, introduced by M. Brainard, T. Facey, L. McCulloch, C. Squires, referred to Transportation.

HB 440, introduced by M. Brainard, P. Bergsagel, E. Clark, R. Clark, J. Cobb, D. Haines, J. Holden, R. Jore, S. Kitzenberg, J. Shockley, B. Story, B. Tash, J. Witt, referred to Agriculture.

HB 441, introduced by M. Brainard, C. Ahner, S. Bookout-Reinicke, R. Clark, D. McGee, referred to Local Government.

HB 442, introduced by J. Stovall, T. Beck, R. Brown, S. Doherty, B. Eggers, D. Ewer, T. Facey, L. Grinde, H. Harper, T. Keating, G. Masolo, M. McCann, R. Peck, S. Rose, J. Shockley, P. Sliter, F. Smith, C. Tuss, J. Witt, referred to Business and Labor.

HB 443, introduced by S. Bookout-Reinicke, referred to Local Government.

HB 444, introduced by B. Thomas, P. Bergsagel, R. Dale, L. Grinde, D. Haines, referred to Agriculture.

HB 445, introduced by C. Juneau, G. Beck, V. Cocchiarella, B. Eggers, G. Gutsche, H. Harper, J. Hurdle, S. Kitzenberg, L. McCulloch, C. Williams, D. Wyatt, referred to State Administration.

HB 446, introduced by C. Juneau, V. Cocchiarella, B. Eggers, G. Gutsche, T. Hagener, H. Harper, J. Hurdle, S. Kitzenberg, L. McCulloch, C. Williams, D. Wyatt, referred to State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

SB 11, introduced by M. Halligan, L. Grinde (by request of the Legislative Council), referred to Rules.

SB 48, introduced by C. Swysgood (by request of the Governor), referred to Appropriations.

SB 49, introduced by C. Swysgood (by request of the Department of Natural Resources and Conservation), referred to Appropriations.

SB 65, introduced by D. Shea (by request of the Department of Justice), referred to Judiciary.

SB 77, introduced by B. Keenan (by request of the Department of Public Health and Human Services), referred to Business and Labor.

SB 171, introduced by Mesaros, T. Beck, M. Cole, W. Crismore, G. Devlin, A. Ellis, L. Grosfield, M. Hanson, J. Hertel, C. Hibbard, J. Holden, W. McNutt, S. Rose, J. Stovall, B. Tash, L. Taylor, referred to Agriculture.

SB 200, introduced by M. Taylor, B. DePratu, L. Grosfield, D. Mood, K. Ohs, B. Simon, E. Swanson, J. Tester, C. Tuss (by request of Joint Select Committee on Jobs and Income), referred to Taxation.

SB 213, introduced by Grosfield, and R. Clark, referred to Judiciary.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Pavlovich in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 221 - Representative Trexler moved **HB 221** do pass. Motion carried as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: E. Bergsagel, Jore, Orr.

Total 3

Voted Absentee: Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Hibbard, Hurdle, McCann, McGee, Molnar, Tuss, Vick, Wagner, Ayes.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

HB 232 - Representative Rose moved **HB 232** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Jore, McGee, Orr.

Total 3

Voted Absentee: Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Hibbard, Hurdle, McCann, Molnar, Tuss, Vick, Wagner, Ayes; McGee, No.

Excused: Simon.

Total 1

Absent or not voting: Sliter.

Total 1

HB 307 - Representative Holden moved **HB 307** do pass. Motion carried as follows:

Ayes: Bookout-Reinicke, E. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher,

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Fuchs, Gallus, Galvin-Halcro, Gillan, Grinde, Guggenheim, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, McCann, McCulloch, McKenney, Menahan, Ohs, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Squires, Tash, Thomas, Trexler, Tropila, Wagner, Wyatt.

Total 51

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, P. Clark, Davies, Golie, Gutsche, Haines, Jackson, Johnson, Jore, Juneau, Kasten, Lawson, Masolo, Matthews, McGee, Molnar, Mood, Noennig, Orr, Pavlovich, Raney, Rehbein, Soft, Somerville, Story, Stovall, Swanson, Taylor, Tuss, Vick, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 48

Voted Absentee: Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Hibbard, Hurdle, McCann, Wagner, Ayes; McGee, Molnar, Tuss, Vick, Noes.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

HB 110 - Representative Johnson moved **HB 110** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: Adams, E. Bergsagel, P. Bergsagel, Cobb, Curtiss, Davies, Jore, Kasten, McGee, Molnar, Orr, Rehbein, Vick.

Total 13

Voted Absentee: Dell, Eggers, Ewer, Fisher, Fuchs, Hibbard, Hurdle, McCann, Tuss, Wagner, Ayes; Curtiss, McGee, Molnar, Vick, Noes.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

HB 304 - Representative Noennig moved **HB 304** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E.

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Clark, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Cobb, Davies, Jore, Molnar, Orr, Rehbein, Squires, Vick, Walters.

Total 13

Voted Absentee: Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Hibbard, Hurdle, McCann, McGee, Tuss, Wagner, Ayes; Molnar, Vick, Noes.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

HB 145 - Representative Masolo moved **HB 145** do pass.

HB 145 - Representative Mangan moved **HB 145**, second reading copy, be amended as follows :

1. Title, line 7.

Following: "STANDARDS;"

Insert: "ESTABLISHING AN EDUCATIONAL SCHOLARSHIP PROGRAM;"

2. Page 1, line 13.

Strike: "(8)"

Insert: "(9)"

3. Page 1.

Following: line 21

Insert: "(2) Each eligible teacher must receive \$2,500. The remaining \$2,500 must be deposited in the educational scholarship account provided for in [section 3] in the name of the teacher who received the stipend. Each scholarship awarded from the account must bear the name of one of the teachers who received the stipend."

Renumber: subsequent subsections

4. Page 2, line 12.

Strike: "(6)"

Insert: "(7)"

5. Page 2.

Following: line 19

Insert: "NEW SECTION. **Section 2. Administration of educational scholarship program -- eligibility.** (1) The board of regents shall administer an educational scholarship program and shall adopt procedures to implement

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the requirements of this section, including but not limited to:

- (a) development of an application process;
 - (b) procedures for disbursing scholarships;
 - (c) procedures for entering into cooperative agreements with eligible tribal colleges; and
 - (d) development of continuing eligibility requirements.
- (2) To be eligible to receive a scholarship, an entering freshman must:
- (a) be classified as a Montana resident for in-state tuition under board of regents' policy at the time of high school graduation;
 - (b) be a United States citizen or permanent resident alien who meets the definition of an eligible noncitizen under federal Title IV of the Higher Education Act of 1965 requirements;
 - (c) have earned a high school diploma with a minimum of a 3.0 cumulative grade point average on a 4.0 scale; and
 - (d) be admitted, enrolled, or classified as an undergraduate student in a degree program at a postsecondary institution."

Insert: "NEW SECTION. Section 3. Educational scholarship account. There is an educational scholarship account in the state special revenue fund provided for in 17-2-102. One-half of the professional stipend awarded in [section 1(1)] must be deposited into the account and used to pay for scholarships awarded pursuant to [section 2]."

Renumber: subsequent sections

6. Page 2, line 26.

Strike: "[Section 1] is"

Insert: "[Sections 1 through 3] are"

7. Page 2, line 28.

Strike: "[section 1]"

Insert: "[sections 1 through 3]"

Amendment failed as follows:

Ayes: Adams, Barnhart, P. Bergsagel, Buzzas, Dale, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Gutsche, Hagener, Harper, Harrington, Jackson, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, Menahan, Mood, Ohs, Pavlovich, Peck, Raney, Rose, Ryan, Smith, Somerville, Swanson, Tropila, Tuss, Walters, Williams, Wyatt, Younkin.

Total 40

Noes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Davies, Gillan, Guggenheim, Haines, Hanson, Hedges, Holden, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McCulloch, McKenney, Noennig, Orr, Quilici, Rehbein, Schmidt, Shockley, Sliter, Soft, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Witt, Zook, Mr. Speaker.

Total 47

Voted Absentee: Fuchs, Tuss, Ayes.

Excused: Curtiss, Dell, Eggers, Ewer, Fisher, Hibbard, Hurdle, McCann, McGee, Molnar, Simon, Vick, Wagner.

Total 13

Absent or not voting: None.

Total 0

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Motion that **HB 145** do pass carried as follows:

Ayes: Ahner, Barnett, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Ryan, Schmidt, Shockley, Simon, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 72

Noes: Adams, J. Andersen, S. Anderson, Barnhart, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Davies, Grinde, Jackson, Johnson, Jore, Kasten, Lenhart, McCann, McGee, Molnar, Orr, Raney, Rehbein, Rose, Sliter, Smith, Story, Tuss, Vick, Walters.

Total 28

Voted Absentee: Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Hibbard, Hurdle, Simon, Wagner, Ayes; McCann, McGee, Molnar, Tuss, Vick, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved that **HB 301** and **HB 204** be passed for the day. Motion carried.

HB 111 - Representative Guggenheim moved **HB 111** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Jore, Orr, Vick.

Total 3

Voted Absentee: Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Hibbard, Hurdle, McCann, McGee, Molnar, Tuss, Wagner, Ayes; Vick, No.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

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HB 126 - Representative Johnson moved **HB 126** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Jore.

Total 1

Voted Absentee: Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Hibbard, Hurdle, McCann, McGee, Molnar, Tuss, Vick, Wagner, Ayes.

Excused: Simon.

Total 1

Absent or not voting: Bookout-Reinicke.

Total 1

HB 20 - Representative Kitzenberg moved **HB 20** do pass.

HB 20 - Representative Anderson moved for cloture. Motion carried as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Dale, Davies, Erickson, Facey, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Schmidt, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 72

Noes: P. Clark, Galvin-Halcro, Raney, Tropila, Wyatt.

Total 5

Excused: Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Hibbard, Hurdle, McCann, McGee, Molnar, Simon, Tuss, Vick, Wagner.

Total 15

Absent or not voting: J. Andersen, Harper, Jore, Masolo, McKenney, Shockley, Taylor, Trexler.

Total 8

Motion that **HB 20** do pass carried as follows:

Ayes: Ahner, S. Anderson, Barnett, Bitney, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Cobb, Curtiss, Dale,

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Davies, Eggers, Facey, Fisher, Fuchs, Gillan, Grinde, Hagener, Hanson, Hedges, Hibbard, Holden, Hurdle, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Ohs, Peck, Rehbein, Rose, Ryan, Schmidt, Smith, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Tropila, Wagner, Witt, Younkin, Zook, Mr. Speaker.

Total 55

Noes: Adams, J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brown, Buzzas, P. Clark, Dell, Erickson, Ewer, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Haines, Harper, Harrington, Jackson, Johnson, Jore, Lawson, McCulloch, Menahan, Molnar, Mood, Noennig, Orr, Pavlovich, Quilici, Raney, Shockley, Simon, Sliter, Squires, Story, Swanson, Trexler, Tuss, Vick, Walters, Williams, Wyatt.

Total 45

Voted Absentee: Curtiss, Eggers, Fisher, Fuchs, Hibbard, Hurdle, McCann, McGee, Wagner, Ayes; Dell, Ewer, Molnar, Simon, Tuss, Vick, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Buzzas excused at this time.

HB 26 - Representative Kitzenberg moved **HB 26** do pass. Motion carried as follows:

Ayes: S. Anderson, Barnett, Bitney, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Erickson, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Juneau, Kasten, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Ohs, Peck, Rehbein, Rose, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Wagner, Witt, Younkin, Zook, Mr. Speaker.

Total 57

Noes: Adams, Ahner, J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brown, Buzzas, P. Clark, Dell, Ewer, Gallus, Golie, Guggenheim, Gutsche, Harper, Harrington, Jackson, Johnson, Jore, Krenzler, Lawson, McCulloch, Menahan, Molnar, Mood, Noennig, Orr, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Squires, Trexler, Tuss, Vick, Walters, Williams, Wyatt.

Total 43

Voted Absentee: Curtiss, Eggers, Fisher, Fuchs, Hibbard, Hurdle, McCann, McGee, Wagner, Ayes; Buzzas, Dell, Ewer, Molnar, Simon, Tuss, Vick, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 24 - Representative Soft moved **HB 24** do pass.

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HB 24 - Representative Soft moved **HB 24**, second reading copy, be amended as follows :

1. Page 15, line 19.

Following: "that"

Insert: "neither"

Strike: "child's parents"

Insert: "child and one parent"

Strike: "and any"

Insert: "nor the child and a"

2. Page 15, line 20.

Strike: "do not"

3. Page 15, line 22.

Following: "that"

Insert: "neither"

Strike: "the child's parents"

Insert: "a parent"

4. Page 15, line 23.

Strike: "and"

Insert: "nor"

Strike: "do not"

Strike: "reside"

Insert: "resides"

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Dale, Davies, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 81

Noes: None.

Total 0

Excused: Buzzas, Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Hibbard, Hurdle, McCann, McGee, Molnar, Simon, Tuss, Vick, Wagner.

Total 16

Absent or not voting: Adams, Cobb, Orr.

Total 3

Motion that **HB 24**, as amended, do pass carried as follows:

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Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Adams, P. Bergsagel, R. Clark, Curtiss, Jore, McGee, Molnar, Orr, Rehbein, Vick.

Total 10

Voted Absentee: Buzzas, Dell, Eggers, Ewer, Fisher, Fuchs, Hibbard, Hurdle, McCann, Tuss, Wagner, Ayes; Curtiss, McGee, Molnar, Vick, Noes.

Excused: Simon.

Total 1

Absent or not voting: Gallus, Menahan.

Total 2

HB 79 - Representative Brainard moved **HB 79** do pass.

HB 79 - Representative Golie moved **HB 79**, second reading copy, be amended as follows :

1. Title, page 1, line 18.

Strike: "AND A MEMBER LOAN FEATURE IN THE NEW PLAN"

2. Page 3, line 1 and line 18.

Page 11, line 4.

Page 15, line 17.

Page 19, line 1 and line 7.

Page 20, line 8.

Page 26, line 26.

Page 31, line 16.

Strike: "64"

Insert: "65"

3. Page 19, line 29 and line 30.

Strike: "¿" on line 29 through "a" on line 30

4. Page 20, line 1 through line 4.

Strike: "¿" on line 1 through "facilitated" on line 4

5. Page 35, line 2.

Page 37, line 3 and line 11.

Page 38, line 10 and line 19.

Page 39, line 1 and line 25.

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Page 40, line 4.
Page 47, line 14.
Page 48, line 12.
Page 49, line 9, line 23, line 25, and line 27.
Page 50, line 26 and line 27.
Page 51, line 2.
Page 52, line 1.
Strike: "64"
Insert: "65"

6. Page 40, line 29.
Strike: "60(1)(b)"
Insert: "59(1)(b)"

7. Page 46, line 13.
Strike: "Subject to [section 59(3)], any"
Insert: "Any"

8. Page 46, line 24.
Strike: "60"
Insert: "61"
Strike: "and 60"

9. Page 48, line 3.
Strike: ", subject to [section 59],"

10. Page 51, line 16 through line 17.
Strike: "61" on line 16 through "75" on line 17
Insert: "60, 61, 64, 65, 68 through 71, 73, and 74"

11. Page 51, line 18.
Strike: "63, 64, 67, and 68"
Insert: "62, 63, 66, and 67"

12. Page 51, line 21.
Strike: "60"
Insert: "59"

13. Page 51, line 22.
Strike: "66"
Insert: "65"

14. Page 52, line 1.
Strike: "62"
Insert: "61"

15. Page 52, line 2.
Strike: "61"
Insert: "60"

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Amendment failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Dell, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.

Total 38

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Dale, Davies, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 55

Voted Absentee: Buzzas, Dell, Tuss, Ayes; Fuchs, Hibbard, Molnar, Simon, Vick, Wagner, Noes.

Excused: Curtiss, Eggers, Ewer, Fisher, Hurdle, McCann, McGee.

Total 7

Absent or not voting: None.

Total 0

HB 79 - Representative Mangan moved **HB 79**, second reading copy, be amended as follows :

1. Title, page 1, line 17.

Following: "DEATH"

Insert: "AND DISABILITY"

2. Page 3, line 1 and line 18.

Page 11, line 4.

Page 15, line 17.

Page 19, line 1 and line 7.

Page 20, line 8.

Page 26, line 26.

Page 31, line 16.

Strike: "64"

Insert: "65"

3. Page 20, line 2 and line 4.

Strike: "59"

Insert: "60"

4. Page 35, line 2.

Page 37, line 3 and line 11.

Page 38, line 10 and line 19.

Page 39, line 1 and line 25.

Page 40, line 4.

Page 47, line 14.

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Page 48, line 12.

Page 49, line 9, line 23, line 25, and line 27.

Page 50, line 26 and line 27.

Page 51, line 2.

Page 52, line 1.

Strike: "64"

Insert: "65"

5. Page 43, line 8.

Strike: "4.49 %"

Insert: "4.06 %"

Following: " ; "

Strike: "and"

6. Page 43, line 9.

Following: "rate"

Insert: " ; and"

(c) 0.43% of compensation must be allocated to the board to pay for the disability benefits provided pursuant to [section 59]"

7. Page 46, line 13.

Strike: "59(3)"

Insert: "60(3)"

8. Page 46, line 24.

Strike: "60"

Insert: "61"

9. Page 47.

Following: line 14

"NEW SECTION. Section 59. Disability benefits. (1) The board shall use the portion of the employer contribution allocated for disability benefits in [section 53(2)(c)] to contract for disability coverage for plan members.

(2) The board shall inform plan members about the disability benefits provided.

(3) The board shall periodically review the sufficiency of the contributions being allocated to fund disability benefits and shall make recommendations to the legislature as appropriate."

Renumber: subsequent sections

10. Page 48, line 3.

Strike: "59"

Insert: "60"

11. Page 51, line 16 through line 17.

Strike: "61" on line 16 through "75" on line 17

Insert: "62, 63, 66, 67, 70 through 73, 75, and 76"

12. Page 51, line 18.

Strike: "63, 64, 67, and 68"

Insert: "64, 65, 68, and 69"

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13. Page 51, line 21.

Strike: "60"

Insert: "61"

14. Page 51, line 22.

Strike: "66"

Insert: "67"

15. Page 52, line 1.

Strike: "62"

Insert: "63"

16. Page 52, line 2.

Strike: "61"

Insert: "62"

Amendment failed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dell, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.

Total 40

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 55

Voted Absentee: Buzzas, Dell, Tuss, Ayes; Curtiss, Fisher, Fuchs, McGee, Molnar, Simon, Vick, Wagner, Noes.

Excused: Eggers, Ewer, Hibbard, Hurdle, McCann.

Total 5

Absent or not voting: None.

Total 0

HB 79 - Representative Wyatt moved **HB 79**, second reading copy, be amended as follows :

1. Page 35, line 15.

Strike: "0.04%"

Insert: "0.1%"

Amendment failed as follows:

Ayes: Barnhart, Beck, P. Clark, Cobb, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

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Total 35

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 57

Voted Absentee: Tuss, Aye; Curtiss, Fisher, Fuchs, Hibbard, Molnar, Simon, Vick, Noes.

Excused: Buzzas, Dell, Eggers, Ewer, Hurdle, McCann, McGee, Wagner.

Total 8

Absent or not voting: None.

Total 0

Motion that **HB 79** do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 61

Noes: Barnhart, Beck, Buzzas, P. Clark, Eggers, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Mangan, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 37

Voted Absentee: Curtiss, Dell, Ewer, Fisher, Fuchs, Hibbard, McGee, Molnar, Wagner, Ayes; Buzzas, Eggers, Hurdle, McCann, Tuss, Noes.

Excused: Simon, Vick.

Total 2

Absent or not voting: None.

Total 0

Representative Gillan excused at this time.

HB 59 - Representative Mood moved **HB 59** do pass. Motion failed as follows:

Ayes: Ahner, S. Anderson, Barnett, P. Bergsagel, Bitney, Brainard, E. Clark, R. Clark, Curtiss, Dale, Dell, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Kitzenberg, Lawson, McCann, McGee, McKenney, Molnar, Mood, Ohs, Rehbein, Simon, Sliter, Tash, Taylor, Thomas, Vick, Wagner, Witt, Younkin, Zook, Mr. Speaker.

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Total 40

Noes: Adams, J. Andersen, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brown, Buzzas, P. Clark, Cobb, Davies, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Jore, Juneau, Kasten, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, Menahan, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Trexler, Tropila, Tuss, Walters, Williams, Wyatt.

Total 60

Voted Absentee: Curtiss, Dell, Fisher, Fuchs, Hibbard, McCann, McGee, Molnar, Simon, Vick, Wagner, Ayes; Buzzas, Eggers, Ewer, Gillan, Hurdle, Tuss, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 106 - Representative McCulloch moved **HB 106** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 83

Noes: Adams, P. Bergsagel, Brainard, Davies, Fuchs, Gillan, Hanson, Holden, Jore, McGee, Molnar, Orr, Rehbein, Taylor, Vick.

Total 15

Voted Absentee: Buzzas, Dell, Eggers, Ewer, Fisher, Hibbard, Hurdle, McCann, Tuss, Wagner, Ayes; Fuchs, Gillan, McGee, Molnar, Vick, Noes.

Excused: Curtiss, Simon.

Total 2

Absent or not voting: None.

Total 0

HB 308 - Representative Hagener moved **HB 308** do pass. Motion carried as follows:

Ayes: J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan,

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Schmidt, Shockley, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 81

Noes: Adams, Ahner, S. Anderson, P. Bergsagel, Brainard, Davies, Grinde, Jore, Lawson, Molnar, Ohs, Orr, Rehbein, Sliter, Story, Taylor, Vick.

Total 17

Voted Absentee: Buzzas, Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Gillan, Hibbard, Hurdle, McCann, McGee, Tuss, Wagner, Ayes; Molnar, Vick, Noes.

Excused: Simon.

Total 1

Absent or not voting: Cobb.

Total 1

HB 124 - Representative Haines moved **HB 124** do pass. Motion carried as follows:

Ayes: J. Andersen, Barnett, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Peck, Quilici, Raney, Schmidt, Shockley, Soft, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Wagner, Walters, Williams, Younkin, Mr. Speaker.

Total 62

Noes: Adams, Ahner, S. Anderson, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, E. Clark, P. Clark, Cobb, Davies, Galvin-Halcro, Golie, Grinde, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Lenhart, Lindeen, Mangan, Masolo, Orr, Pavlovich, Rehbein, Rose, Ryan, Sliter, Smith, Somerville, Squires, Trexler, Witt, Wyatt, Zook.

Total 37

Voted Absentee: Buzzas, Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Gillan, Hibbard, Hurdle, McCann, McGee, Molnar, Tuss, Vick, Wagner, Ayes.

Excused: Simon.

Total 1

Absent or not voting: None.

Total 0

HJR 4 - Representative Walters moved **HJR 4** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Fisher, Fuchs, Galvin-Halcro, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shockley, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 71

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Noes: Barnhart, Buzzas, Erickson, Ewer, Facey, Gallus, Gillan, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Mangan, Matthews, McCulloch, Menahan, Peck, Raney, Schmidt, Squires, Swanson, Tuss, Williams, Wyatt.

Total 27

Voted Absentee: Curtiss, Dell, Eggers, Fisher, Fuchs, Hibbard, McCann, McGee, Molnar, Vick, Ayes; Buzzas, Ewer, Gillan, Hurdle, Tuss, Noes.

Excused: Simon, Wagner.

Total 2

Absent or not voting: None.

Total 0

HB 137 - Representative Anderson moved **HB 137** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Davies, Johnson, Jore, Orr, Raney.

Total 5

Voted Absentee: Buzzas, Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Gillan, Hibbard, Hurdle, McCann, McGee, Molnar, Tuss, Vick, Wagner, Ayes.

Excused: Simon.

Total 1

Absent or not voting: Gutsche.

Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Pavlovich moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Erickson, Facey, Gallus, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

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Total 72

Noes: Galvin-Halcro, Jore, Mangan, Rehbein, Ryan, Squires, Wyatt.

Total 7

Excused: Buzzas, Curtiss, Dell, Eggers, Ewer, Fisher, Fuchs, Gillan, Hibbard, Hurdle, McCann, McGee, Molnar, Simon, Tuss, Vick, Wagner.

Total 17

Absent or not voting: Barnhart, Grinde, Juneau, Lenhart.

Total 4

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 35 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Bitney, Bookout-Reinicke, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Ewer, Gallus, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Kitzenberg, Krenzler, Lenhart, Mangan, Masolo, McCann, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Quilici, Rehbein, Rose, Shockley, Sliter, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 64

Noes: Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brainard, Buzzas, P. Clark, Eggers, Erickson, Facey, Galvin-Halcro, Gutsche, Harper, Hurdle, Jore, Juneau, Kasten, Lawson, Lindeen, Matthews, McCulloch, McGee, Pavlovich, Peck, Raney, Ryan, Schmidt, Smith, Squires, Tuss, Williams, Wyatt.

Total 32

Voted Absentee: Curtiss, Dell, Ewer, Hibbard, McCann, Molnar, Vick, Wagner, Ayes; Buzzas, Eggers, Hurdle, McGee, Tuss, Noes.

Excused: Fisher, Fuchs, Gillan, Simon.

Total 4

Absent or not voting: None.

Total 0

HB 113 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor,

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Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 86

Noes: Adams, E. Bergsagel, P. Bergsagel, R. Clark, Jore, McGee, Raney, Rehbein.
Total 8

Voted Absentee: Buzzas, Curtiss, Dell, Eggers, Ewer, Hibbard, Hurdle, McCann, Molnar, Tuss, Vick, Wagner, Ayes; McGee, No.

Excused: Fisher, Fuchs, Gillan, Simon.
Total 4

Absent or not voting: Jackson, McCulloch.
Total 2

HB 120 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Facey, Hagener, Hanson, Harrington, Hedges, Hibbard, Holden, Johnson, Kitzenberg, Krenzler, Lenhart, Masolo, McGee, McKenney, Mood, Noennig, Ohs, Quilici, Rose, Shockley, Sliter, Smith, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Trexler, Tuss, Wagner, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 49

Noes: Adams, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Buzzas, P. Clark, Davies, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Haines, Harper, Hurdle, Jackson, Jore, Juneau, Kasten, Lawson, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Molnar, Orr, Pavlovich, Peck, Raney, Rehbein, Ryan, Schmidt, Squires, Story, Swanson, Tropila, Vick, Walters, Williams.
Total 47

Voted Absentee: Curtiss, Dell, Hibbard, McGee, Tuss, Wagner, Ayes; Buzzas, Eggers, Ewer, Hurdle, McCann, Molnar, Vick, Noes.

Excused: Fisher, Fuchs, Gillan, Simon.
Total 4

Absent or not voting: None.
Total 0

HB 121 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 86

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Noes: Adams, R. Clark, Jore, Kasten, McGee, Orr, Rehbein, Story, Taylor, Vick.
Total 10

Voted Absentee: Buzzas, Curtiss, Dell, Eggers, Ewer, Hibbard, Hurdle, McCann, Molnar, Tuss, Wagner, Ayes;
McGee, Vick, Noes.

Excused: Fisher, Fuchs, Gillan, Simon.
Total 4

Absent or not voting: None.
Total 0

HB 245 passed as follows:

Ayes: Ahner, Barnett, Bitney, Bookout-Reinicke, Brown, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 71

Noes: Adams, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Gallus, Galvin-Halcro, Golie, Hagener, Harper, Hurdle, Jore, Kasten, McCann, McGee, Orr, Rehbein, Smith, Story, Vick.
Total 24

Voted Absentee: Dell, Eggers, Ewer, Hibbard, Molnar, Tuss, Wagner, Ayes; Curtiss, Hurdle, McCann, McGee, Vick, Noes.

Excused: Buzzas, Fisher, Fuchs, Gillan, Simon.
Total 5

Absent or not voting: None.
Total 0

MOTIONS

Representative Grinde moved that **HB 79**, **HB 124**, **HB 145**, **HB 302**, and **HB 307** be rereferred to the Committee on Appropriations. Motion carried.

Representative Guggenheim requested that on **HB 20** and **HB 26** her votes be changed from yes to no. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Monday, February 1, 1999. Motion carried.

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House adjourned at 2:30 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 1, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Jore. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Juneau and Krenzler. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twenty-third and twenty-fourth legislative days, find the same to be correct.

Rehbein, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/1/1999
Correctly printed: **HB 337, HB 390, SB 194.**
Correctly engrossed: **HB 20, HB 24, HB 26, HB 106, HB 111, HB 124, HB 126, HB 137, HB 145, HB 221, HB 232, HB 304, HB 307, HB 308, HJR 4.**

NATURAL RESOURCES (Tash, Chairman): 2/1/1999
HB 92, do pass. Report adopted.
HB 205, introduced bill, be amended as follows:

1. Page 2, line 12.

Strike: "Easements are"

Insert: "Establishment of easements pursuant to this subsection (9) is"

2. Page 2, line 14.

Following: "buyers"

Strike: "that the"

Insert: "of"

Following: "lots"

Insert: "that"

3. Page 2, line 17.

Following: "removed"

Insert: "or the process has been initiated to remove the water rights"

Following: "legal"

Insert: "or administrative"

4. Page 2, lines 17 and 18.

Following: "process"

Strike: "prior" on line 17 through "plat." on line 18

Insert: "and if the removal or intended removal is denoted on the preliminary plat. If removal of water rights is not complete upon filing of the final plat, the subdivider shall provide written notification to prospective buyers of the intent to remove the water right and shall document that intent, when applicable, in agreements and legal documents for related sales transactions."

5. Page 2, line 20.

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Following: "to"
Strike: "establish"
Insert: "file and record"

And, as amended, do pass. Report adopted.

TAXATION (Hibbard, Chairman):
HJR 2, introduced joint resolution, be amended as follows:

2/1/1999

1. Page 2.

Following: line 6

Insert: "WHEREAS, the Revenue Oversight Committee adopted an estimate of capital gains tax revenue associated with the sale of electrical generation facilities; and"

Insert: "WHEREAS, the timing of the capital gains related to the sale of the electrical generation facilities and the actual tax liabilities of the electric utilities selling the generation facilities are difficult to determine with certainty; and"

Insert: "WHEREAS, Montana is one of 46 states to sign an agreement with tobacco companies that secures for the states a financial settlement related to illegal activities of the tobacco companies; and"

Insert: "WHEREAS, Montana's share of the financial settlement has been calculated to be \$66.8 million over the next 3 years; and"

Insert: "WHEREAS, final approval of the agreement and potential federal claims on Montana's share of the settlement may affect the timing and actual amount of settlement proceeds; and"

2. Page 2, line 16.

Strike: "\$1,033,575,000, \$1,083,183,000,"

Insert: "\$1,053,122,000, \$1,102,163,000,"

3. Page 2, line 17.

Strike: "\$1,088,992,000"

Insert: "\$1,105,249,000"

4. Page 2.

Following: line 19

Insert: "BE IT FURTHER RESOLVED, that because of the uncertainty associated with the estimated capital gains tax revenue, that estimate is shown separately in the resolution as general fund revenue available for one-time appropriation."

Insert: "BE IT FURTHER RESOLVED, that because factors beyond the control of Montana may affect the timing and actual amount, the anticipated amount of tobacco settlement money available for appropriation from the general fund is shown separately."

5. Page 3, line 11.

Strike: "\$447.067" through "\$488.570"

Insert: "\$457.703 \$475.687 \$496.634"

6. Page 3, line 12.

Strike: "131.730" through "138.521"

Insert: "132.880 133.698 138.258"

7. Page 3, line 13.

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Strike: "70.735" through "79.615"
Insert: "71.592 75.105 79.560"

8. Page 3, line 18.
Strike: line 18 in its entirety

9. Page 3, line 19.
Strike: "28.971"
Insert: "31.235"

10. Page 3, line 20.
Strike: "19.221" through "18.658"
Insert: "19.039 18.492 18.245"

11. Page 3, line 21.
Strike: "14.920"
Insert: "17.425"

12. Page 4, line 1.
Strike: "15.265" through "17.121"
Insert: "17.679 16.733 17.878"

13. Page 4, line 7.
Strike: "6.489" through "8.187"
Insert: "6.392 6.768 7.531"

14. Page 5.
Following: line 4
Insert: "Total General Fund 1,034.382 1,053.122 1,060.935 1,096.426
One-Time Capital Gains Tax on Generation Assets 0.000 0.000 30.000 0.000
Tobacco Settlement Revenue 0.000 0.000 11.228 8.823"

15. Page 5, line 5.
Following: line 4
Insert: "Grand"
Strike: "\$1,033.575" through "\$1,088.992"
Insert: "\$1,053.122 \$1,102.163 \$1,105.249"

16. Page 5, line 10.
Strike: "1.20%" through "1.17%"
Insert: "1.10% 1.50% 2.00% 2.00%"

17. Page 5, line 12.
Strike: "4.54%" through "4.44%"
Insert: "4.30% 4.05% 4.56% 4.67%"

18. Page 5, line 13.
Following: "CY"
Insert: "Net"

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Strike: "6.00% "
Insert: "0.00% "

19. Page 5, line 14.
Strike: "-0.41" through 2.57% "
Insert: "2.10% 1.60% 2.50% 3.40% "

20. Page 5, line 15.
Strike: "1.51 %" through "5.17% "
Insert: "1.00% 4.00% 5.10% 5.10% "

21. Page 5, line 16.
Strike: "1.55 %" through "2.64% "
Insert: "2.70% 4.90% " 4.30% 5.20%

22. Page 5, line 17.
Following: "CY"
Insert: "Net"
Strike: "1.99 %" through "1.90% "
Insert: "0.00% 0.00% 0.00% 0.00% "

23. Page 5, line 18.
Strike: "0.01 %" through "1.32% "
Insert: "0.00% 0.00% 5.00% 5.00% "

24. Page 5, line 19.
Strike: "-0.80%" through "1.42% "
Insert: "0.00% 0.00% 0.00% 0.00% "

25. Page 5, line 20.
Strike: "11.24%" through "12.18% "
Insert: "12.58% 12.58% 12.58% 12.58% "

26. Page 5, line 21.
Strike: "16.12% 16.12% 16.12% 16.12% "
Insert: "8.86% 8.86% 8.86% 8.86% "

27. Page 6, line 1.
Strike: "6.80% 6.80% 6.80% 6.80% "
Insert: "8.86% 8.86% 8.86% 8.86% "

28. Page 6, line 3.
Strike: "2.52%" through "1.76% "
Insert: "0.77% 0.85% 1.20% 1.36% "

29. Page 6, line 4.
Strike: "5.02%" through "5.32% "
Insert: "3.44% 3.44% 3.44% 3.44% "

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30. Page 6, line 5.

Strike: "2.40%" through "2.54%"

Insert: "1.29% 1.46% 1.94% 2.13%"

31. Page 6, line 7.

Strike: "5.30%" through "7.20%"

Insert: "5.40% 6.00% 6.90% 7.10%"

32. Page 6, line 8.

Strike: "3.60% 3.60% 3.60% 3.60%"

Insert: "8.83% 8.83% 8.83% 8.83%"

33. Page 6, line 9.

Strike: the first "3.60%" through "3.40%"

Insert: "3.70% -1.80% 4.20% 5.40%"

34. Page 6, line 10.

Following: ")"

Strike: the remainder of line 10

Insert: "7.65% 7.65% 7.65% 7.65%"

35. Page 6, line 11.

Following: ")"

Strike: the remainder of line 11

Insert: "7.68% 7.68% 7.68% 7.68%"

36. Page 6, line 12.

Strike: line 12 in it entirety

37. Page 6, line 14.

Following: ")"

Strike: the remainder of line 14

Insert: "\$8.824 \$9.053 \$9.288 \$9.350"

38. Page 6, line 15.

Strike: "(Millions)"

Insert: "(Percent Change)"

Strike: "\$9.267" through "\$11.987"

Insert: "10.00% 10.00% 10.00% 10.00%"

39. Page 6, line 16.

Strike: "(Millions)"

Insert: "(Percent Change)"

Following: ")"

Strike: the remainder of line 16

Insert: "1.10% 1.50% 2.00% 2.00%"

40. Page 6, line 18.

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Following: "\$3.917"

Strike: the remainder of line 18

Insert: "\$4.500 \$4.950 \$4.950"

41. Page 6, line 19.

Following: "\$8.825"

Strike: the remainder of line 19

Insert: "\$10.000 \$11.000 \$11.000"

42. Page 6, line 20.

Following: "\$1.359"

Strike: remainder of line 20

Insert: "\$2.000 \$2.000 \$2.000"

43. Page 6, line 21.

Strike: "MT Legislation/Federal Tax Reform"

Insert: "Federal Tax Reform"

Strike: "\$4.900" through "\$3.518"

Insert: "\$0.000 \$0.000 \$3.037 \$3.745"

44. Page 7, line 1.

Following: ")"

Strike: remainder of line 1

Insert: "\$26.287 \$27.132 \$28.248 \$29.571"

45. Page 7.

Following: line 2

Insert: "FY Fiscal Year 1998 Base (Millions) \$438.161" (1998 Col)

46. Page 7, line 20.

Strike: "\$7.978" through "\$10.236"

Insert: "\$7.994 \$8.731 \$9.424 \$10.181"

47. Page 7, line 21.

Strike: "(\$14.125)"

Insert: "(\$13.260)"

48. Page 8, line 2.

Strike: "\$22.980" through "\$25.659"

Insert: "\$23.066 \$24.110 \$23.978 \$25.396"

49. Page 8, line 3.

Strike: the second "\$0.274"

Insert: "\$1.463"

50. Page 9, line 8.

Strike: "\$15.837" through "\$20.196"

Insert: "\$13.477 \$16.226 \$17.790"

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51. Page 9, line 18.

Strike: "\$274.450"

Insert: "\$300.000"

52. Page 9, line 19.

Strike: "5.44%"

Insert: "5.81%"

53. Page 10, line 1.

Strike: "-2.93%" through "6.80%"

Insert: "12.42% -5.35% 6.84%"

54. Page 11, line 8.

Strike: "\$11.242" through "\$16.426"

Insert: "\$12.02 \$11.72 \$14.11 \$15.47"

55. Page 15, line 17.

Strike: "2.230" through "2.473"

Insert: "2.216 2.327 2.382"

56. Page 16, line 2.

Strike: "7.621" through "7.760"

Insert: "7.617 7.675 7.737"

57. Page 16, line 4.

Strike: "14.536" through "15.314"

Insert: "14.660 14.809 15.280"

58. Page 17, line 7.

Strike: "\$2.720" through "\$2.924"

Insert: "\$2.731 \$2.824 \$2.761 \$2.890"

59. Page 17, line 8.

Strike: the second "\$0.000"

Insert: "\$0.129"

And, as amended, be adopted. Report adopted.

TRANSPORTATION (Anderson, Chairman):
HB 129, introduced bill, be amended as follows:

2/1/1999

1. Title, line 7.

Strike: "TERMS"

Insert: "TERM"

2. Title, line 7 through line 10.

Following: "COMMANDER"

Strike: the remainder of line 7 through "SITUATION" on line 10

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3. Title, line 12 through line 14.

Following: "HAZARD;" on line 12

Strike: remainder of line 12 through "OPERATORS;" on line 14

Insert: "PROVIDING A PENALTY FOR VIOLATING HIGHWAY WARNING SIGNS POSTED AT A HAZARD ON THE HIGHWAY;"

4. Title, line 15.

Strike: "61-8-105, 61-9-105,"

5. Page 2, line 13.

Following: "when"

Strike: "a"

Insert: "an"

6. Page 3, line 2 through line 3.

Following: "designated"

Strike: the remainder of line 2 through "incident" line 3

Insert: "in the local emergency operations plan"

7. Page 3, line 7.

Following: "~~or~~"

Insert: "or"

Strike: ", or state or federal government"

8. Page 4, line 30.

Strike: "are"

Insert: "is"

9. Page 5, line 7 through page 6, line 14.

Strike: sections 5, 6, and 7 in their entirety

Renumber: subsequent sections

10. Page 6, line 17.

Following: "vehicles₂"

Insert: "and"

11. Page 6, line 18.

Strike: ", and commercial tow trucks"

12. Page 7, line 8 through line 9.

Following: "light" on line 8

Strike: the remainder of line 8 through "61-8-105" on line 9

13. Page 7, line 12.

Following: "state"

Strike: "1"

Insert: "or of a"

14. Page 7, line 13.

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Strike: ", or commercial tow truck company that is in compliance with 61-9-416"

15. Page 7, line 15.

Strike: "effecting an arrest,"

Following: "scene"

Strike: " ,""

16. Page 8, line 3.

Following: line 2

Insert: "(8) If highway warning signs are posted by an operator of an authorized emergency vehicle, then [section 7(6)] applies."

17. Page 8, line 15.

Strike: "10"

Insert: "7"

18. Page 9, line 25.

Strike: "10"

Insert: "7"

19. Page 9, line 29.

Following: line 28

Insert: "(4) A commercial tow truck company that is in compliance with [section 7] and that is operating an emergency service vehicle and using signal equipment in rendering assistance at a highway crash scene or in response to any other hazard on the roadway is not liable, except for willful misconduct, bad faith, or gross negligence, for injuries, costs, damages, expenses, or other liabilities resulting from a motorist operating a vehicle in violation of 61-9-402(4)."

20. Page 10, line 1.

Strike: "an authorized emergency vehicle or"

21. Page 10, line 9.

Strike: "or"

Following: "\"road closed ahead\", "

Insert: "\"wreck ahead\", \"tow truck ahead\", or \"wrecker ahead\", "

22. Page 10, line 10.

Strike: "an authorized emergency vehicle or"

23. Page 10, line 12.

Strike: " , "

24. Page 10, line 19 through line 20.

Strike: "an authorized" on line 19 through "or" on line 20

25. Page 10, line 22 through line 23.

Strike: "an" on line 22 through "or" on line 23

26. Page 10, line 26.

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Following: line 25

Insert: "(6) A violation of warning signs placed as provided in subsection (3) is considered reckless endangerment of highway workers, as provided in 61-8-315, and is punishable as provided in 61-8-715(2)."

27. Page 10, line 27 through line 30.

Following: "instruction."

Strike: the remainder of on line 27 through "10]" on line 30

Insert: "[Section 7]"

28. Page 11, line 1.

Strike: "10"

Insert: "7"

And, as amended, do pass. Report adopted.

HB 231, introduced bill, be amended as follows:

1. Title, line 4.

Following: "FROM"

Insert: "THE LIGHT VEHICLE TAX,"

2. Title, line 5.

Following: "REGISTRATION FEE"

Insert: ", "

3. Title, line 7.

Strike: the second "AND"

Following: "61-3-426,"

Insert: "AND 61-3-504,"

4. Page 6, line 18.

Following: "upon"

Insert: "one set of"

5. Page 6, line 20.

Following: "upon"

Insert: "one set of"

6. Page 6, line 22.

Following: line 21

Insert: "(iii) An ex-prisoner of war is exempt from the light vehicle taxes imposed under 61-3-504 for one vehicle that displays a set of ex-prisoner of war license plates."

Renumber: subsequent subsection

7. Page 8, line 24.

Following: "upon"

Insert: "one set of"

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8. Page 9, line 1.

Following: page 8

Insert: "Section 4. Section 61-3-504, MCA, is amended to read:

"61-3-504. Computation of tax. (1) The amount of taxes on a light vehicle, except for vehicles registered under 61-3-456 or owned by disabled veterans qualifying for special license plates under 61-3-332(10)(c) or 61-3-426(2) as provided in subsection (2), is 2% of the value determined under 61-3-503.

(2) The following are exempt from taxation under subsection (1):

(a) a vehicle registered under 61-3-456;

(b) a vehicle owned by a disabled veteran qualifying for one set of special license plates under 61-3-332(10)(c) or 61-3-426; and

(c) a vehicle owned by an ex-prisoner of war under 61-3-332(10)(d) or a surviving spouse of an ex-prisoner of war under [section 5].

(3) The amount of tax on fleet vehicles subject to the provisions of 61-3-318 is 1% of the value determined under 61-3-503."

Renumber: subsequent sections

9. Page 9, line 3.

Following: "the"

Insert: "one set of"

10. Page 9, line 4.

Strike: ", "

Following: "liable for"

Insert: "light vehicle taxes under 61-3-504, for"

Following: "(5)"

Insert: ", "

11. Page 9, line 7.

Strike: "4"

Insert: "5"

12. Page 9, line 9.

Strike: "4"

Insert: "5"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/1/1999

SB 99, introduced by Tester

SB 114, introduced by Thomas

SB 133, introduced by Mohl

SB 180, introduced by Hertel

SB 207, introduced by Roush

FIRST READING AND COMMITMENT OF BILLS

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The following House bills were introduced, read first time, and referred to committees:

HB 447, introduced by D. Ewer, C. Ahner, P. Bergsagel, A. Curtiss, D. Grimes, L. Grosfield, H. Harper, referred to Local Government.

HB 448, introduced by D. Ewer, C. Ahner, P. Bergsagel, A. Curtiss, D. Grimes, H. Harper, referred to Business and Labor.

HB 449, introduced by J. Hurdle, R. Erickson, D. Ewer, G. Gutsche, H. Harper, J. Mangan, C. Williams, referred to Judiciary.

HB 450, introduced by B. Raney, S. Doherty, B. Eggers, H. Harper, B. Keenan, D. McGee, J. Mercer, R. Somerville, E. Swanson, M. Taylor, referred to Transportation.

HB 451, introduced by H. Harper, S. Bartlett, G. Beck, R. Buzzas, C. Christiaens, P. Clark, T. Dell, D. Eck, B. Eggers, J. Ellingson, R. Erickson, T. Facey, S. Gallus, K. Galvin-Halcro, K. Gillan, G. Golie, M. Guggenheim, G. Gutsche, T. Hagener, M. Halligan, D. Harrington, J. Hurdle, C. Juneau, S. Kitzenberg, B. Krenzler, R. Lenhart, M. Lindeen, J. Mangan, G. Matthews, L. McCulloch, R. Menahan, R. Peck, B. Raney, B. Ryan, T. Schmidt, F. Smith, C. Squires, J. Tropila, C. Williams, B. Wilson, referred to State Administration.

HB 452, introduced by H. Harper, J. Cobb, J. Ellingson, D. Grimes, G. Masolo, referred to Human Services.

HB 453, introduced by G. Gutsche, J. Cobb, R. Lenhart, J. Tester, referred to Agriculture.

HB 454, introduced by L. Soft, A. Bishop, J. Holden, R. Johnson, S. Kitzenberg, referred to Transportation.

HB 455, introduced by L. Soft, S. Kitzenberg, referred to Judiciary.

HB 456, introduced by F. Smith, referred to Education.

HB 457, introduced by S. Kitzenberg, referred to State Administration.

HB 458, introduced by K. Ohs, K. Gillan, H. Harper, B. Tash, referred to Natural Resources.

HB 459, introduced by R. Clark, D. Adams, C. Ahner, S. Bookout-Reinicke, M. Brainard, R. Dale, B. Davies, D. Grimes, L. Grinde, C. Hibbard, J. Holden, R. Jore, S. Kitzenberg, M. McCann, L. McCulloch, J. Mercer, K. Miller, S. Orr, J. Shockley, P. Sliter, B. Tash, M. Taylor, A. Walters, J. Wells, C. Younkin, referred to Judiciary.

HB 460, introduced by S. Anderson, referred to Transportation.

HB 461, introduced by B. Simon, referred to Business and Labor.

The following Senate bill was introduced, read first time, and referred to committee:

SB 133, introduced by A. Mohl (by request of the Governor and the Department of Justice), referred to Transportation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Walters in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 3 - Representative Ohs moved **HJR 3** be adopted. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch,

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McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: Adams, Jore, Lenhart, Orr, Smith.
Total 5

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 194 - Representative Kasten moved **SB 194** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 89

Noes: E. Bergsagel, P. Bergsagel, Curtiss, Jore, McCann, Molnar, Orr, Raney, Rehbein, Vick, Wagner.
Total 11

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 321 - Representative Fuchs moved **HB 321** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Wyatt, Younkin, Zook, Mr. Speaker.
Total 75

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Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, E. Clark, Curtiss, Davies, Hanson, Hurdle, Jackson, Jore, Lenhart, McCann, McGee, Orr, Peck, Rehbein, Ryan, Story, Taylor, Vick, Wagner, Witt.

Total 23

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.

Total 0

Absent or not voting: Gallus, Walters.

Total 2

HB 322 - Representative Fuchs moved **HB 322** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 81

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, E. Clark, Curtiss, Davies, Hanson, Jore, McGee, Orr, Rehbein, Ryan, Somerville, Story, Taylor, Vick, Wagner, Witt.

Total 19

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 150 - Representative Menahan moved **HB 150** do pass.

HB 150 - Representative Menahan moved **HB 150**, second reading copy, be amended as follows :

1. Title, line 9.

Strike: "90"

Insert: "30"

2. Page 2, line 15 and line 17.

Strike: "90" in two places

Insert: "30" in both places

3. Page 4, line 12 and line 14.

Strike: "90" in two places

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Insert: "30" in both places

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Kasten, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 80

Noes: Barnett, E. Bergsagel, P. Bergsagel, Brown, Curtiss, Davies, Hedges, Jore, Lawson, McGee, Orr, Rehbein, Simon, Somerville, Story, Taylor, Vick, Wagner.

Total 18

Excused: Juneau, Krenzler.

Total 2

Absent or not voting: None.

Total 0

Motion that **HB 150**, as amended, do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Adams, Jore, Orr, Rehbein, Story, Wagner.

Total 6

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 153 - Representative Hedges moved **HB 153** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas,

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E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 68

Noes: Adams, Barnhart, P. Bergsagel, Brown, Curtiss, Davies, Golie, Guggenheim, Gutsche, Harper, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Lindeen, McGee, Molnar, Orr, Peck, Raney, Rehbein, Ryan, Soft, Somerville, Story, Taylor, Tropila, Vick, Wagner.

Total 31

Voted Absentee: Krenzler, Aye; Juneau, No.

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

HB 282 - Representative Grinde moved consideration of **HB 282** be heard before **HB 281** without objection.

HB 282 - Representative Johnson moved **HB 282** do pass. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 81

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Cobb, Davies, Fuchs, Grinde, Jore, Kasten, McGee, Molnar, Orr, Shockley, Sliter, Vick, Wagner.

Total 19

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 281 - Representative Johnson moved **HB 281** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie,

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Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 82

Noes: Adams, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Cobb, Curtiss, Davies, Fuchs, Grinde, Jore, McGee, Molnar, Orr, Shockley, Sliter, Vick, Wagner.
Total 18

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 320 - Representative Ewer moved **HB 320** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Jore, Orr, Wagner.
Total 3

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.
Total 0

Absent or not voting: Bitney.
Total 1

HB 339 - Representative Sliter moved **HB 339** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Ewer, Facey, Fisher, Fuchs, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, McCann, McCulloch, McGee, McKenney, Mood, Noennig, Ohs, Peck, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft,

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Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 79

Noes: E. Bergsagel, Dell, Erickson, Gallus, Galvin-Halcro, Harper, Harrington, Jore, Juneau, Kasten, Mangan, Matthews, Menahan, Molnar, Orr, Pavlovich, Quilici, Schmidt, Squires, Tuss, Wyatt.

Total 21

Voted Absentee: Krenzler, Aye; Juneau, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 360 - Representative R. Clark moved **HB 360** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 382 - Representative Rose moved **HB 382** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas,

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Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.
Total 0

Absent or not voting: Erickson.
Total 1

HB 17 - Representative Lawson moved **HB 17** do pass.

HB 17 - Representative Lawson moved **HB 17**, second reading copy, be amended as follows :

1. Page 1, line 24.

Following: "assessed"

Insert: "to"

Following: "a"

Strike: "to"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Rehbein.
Total 1

Excused: Juneau, Krenzler.
Total 2

Absent or not voting: None.
Total 0

Motion that **HB 17**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs,

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Gallus, Gillan, Golie, Gutsche, Hagener, Haines, Hanson, Harper, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Ohs, Orr, Quilici, Raney, Rehbein, Rose, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Stovall, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Younkin, Mr. Speaker.

Total 76

Noes: S. Anderson, E. Bergsagel, Brown, Erickson, Galvin-Halcro, Grinde, Guggenheim, Harrington, Hedges, Hurdle, Masolo, Menahan, Noennig, Pavlovich, Peck, Ryan, Smith, Story, Swanson, Tash, Taylor, Witt, Wyatt, Zook.

Total 24

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 230 - Representative Holden moved **HB 230** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Davies, Fuchs, Jore, McGee, Orr, Rehbein, Vick, Wagner.

Total 13

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.

Total 0

Absent or not voting: Holden.

Total 1

HB 107 - Representative McCulloch moved **HB 107** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich,

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Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Squires, Swanson, Tash, Tropila, Tuss, Walters, Williams, Wyatt.

Total 64

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, Brown, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hanson, Holden, Jackson, Jore, Kasten, McGee, McKenney, Molnar, Orr, Rehbein, Shockley, Sliter, Somerville, Story, Stovall, Taylor, Thomas, Trexler, Vick, Wagner, Witt, Younkin, Zook, Mr. Speaker.

Total 36

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Walters moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Fuchs, Jore, Rehbein, Tuss.

Total 4

Excused: Juneau, Krenzler.

Total 2

Absent or not voting: Bitney, Molnar, Ohs, Walters.

Total 4

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 20 passed as follows:

Ayes: Ahner, S. Anderson, Barnett, Bitney, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Facey, Fisher, Fuchs, Gillan, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Juneau, Kasten,

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Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, *Molnar, Ohs, Peck, Rehbein, Rose, Ryan, Smith, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Tropila, Wagner, Witt, Younkin, Zook, Mr. Speaker.

Total 54

Noes: Adams, J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brown, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Jackson, Johnson, Jore, Lawson, McCulloch, Menahan, Mood, Noennig, Orr, Pavlovich, Quilici, Raney, Schmidt, Shockley, Simon, Sliter, Squires, Story, Swanson, Trexler, Tuss, Vick, Walters, Williams, Wyatt.

Total 46

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 26 passed as follows:

Ayes: S. Anderson, Barnett, Bitney, Bookout-Reinicke, Brainard, R. Clark, Curtiss, Dale, Davies, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Grinde, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McGee, McKenney, *Molnar, Ohs, Peck, Rehbein, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Tropila, Wagner, Witt, Younkin, Zook, Mr. Speaker.

Total 51

Noes: Adams, Ahner, J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brown, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Gallus, Golie, Guggenheim, Gutsche, Harper, Hurdle, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McCulloch, Menahan, Mood, Noennig, Orr, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Squires, Swanson, Trexler, Tuss, Vick, Walters, Williams, Wyatt.

Total 47

Voted Absentee: Juneau, Krenzler, Ayes.

Excused: None.

Total 0

Absent or not voting: E. Clark, Shockley.

Total 2

HB 106 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Ewer, Facey, Fisher, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft,

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Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 78

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Davies, Fuchs, Gallus, Hanson, Holden, Jore, McGee, Orr, Rehbein, Sliter, Taylor, Vick, Wagner.

Total 18

Voted Absentee: Juneau, Aye.

Excused: Krenzler.

Total 1

Absent or not voting: Erickson, Kitzenberg, Molnar.

Total 3

HB 110 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 84

Noes: Adams, E. Bergsagel, P. Bergsagel, Cobb, Davies, Grinde, Jore, Kasten, McGee, Orr, Rehbein, Vick, Wagner.

Total 13

Voted Absentee: Juneau, Aye.

Excused: Krenzler.

Total 1

Absent or not voting: E. Clark, Molnar.

Total 2

HB 111 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 94

Noes: Jore, Orr, Vick.

Total 3

Voted Absentee: Juneau, Aye.

Excused: Krenzler.

Total 1

Absent or not voting: Bitney, Molnar.

Total 2

HB 126 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, *Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Jore.

Total 1

Voted Absentee: Juneau, Aye.

Excused: Krenzler.

Total 1

Absent or not voting: E. Clark, Holden.

Total 2

HB 137 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Davies, Jore, Orr.

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Total 3

Voted Absentee: Juneau, Aye.

Excused: Krenzler.

Total 1

Absent or not voting: Molnar.

Total 1

HB 221 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: E. Bergsagel, P. Bergsagel, Jore, Kasten, Orr.

Total 5

Voted Absentee: Juneau, Aye.

Excused: Krenzler.

Total 1

Absent or not voting: Molnar.

Total 1

HB 232 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Jore, McGee, Menahan, Orr.

Total 4

Excused: Juneau, Krenzler.

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Total 2

Absent or not voting: P. Clark, Molnar.

Total 2

HB 304 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Davies, Grinde, Jore, Orr, Rehbein, Vick, Wagner.

Total 11

Excused: Juneau, Krenzler.

Total 2

Absent or not voting: Molnar.

Total 1

HB 308 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kasten, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 84

Noes: Adams, S. Anderson, P. Bergsagel, Brainard, Davies, Jore, Lawson, Orr, Rehbein, Story, Taylor, Vick, Wagner.

Total 13

Excused: Juneau, Krenzler.

Total 2

Absent or not voting: Molnar.

Total 1

HJ 4 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney,

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Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Fisher, Golie, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McGee, McKenney, Menahan, *Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 72

Noes: Barnhart, Buzzas, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Johnson, Mangan, McCulloch, Peck, Raney, Schmidt, Squires, Swanson, Tuss, Williams, Wyatt.
Total 24

Excused: Juneau, Krenzler.
Total 2

Absent or not voting: Fuchs, Grinde.
Total 2

HB 149 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Facey, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Jackson, Jore, Kasten, Kitzenberg, Matthews, McCulloch, McGee, McKenney, *Molnar, Mood, Ohs, Orr, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Somerville, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Mr. Speaker.
Total 57

Noes: Barnhart, Buzzas, Dell, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Holden, Hurdle, Johnson, Lawson, Lenhart, Lindeen, Mangan, Masolo, McCann, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Soft, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Wyatt, Zook.
Total 41

Excused: Juneau, Krenzler.
Total 2

Absent or not voting: None.
Total 0

HB 216 failed as follows:

Ayes: S. Anderson, Beck, Bookout-Reinicke, E. Clark, Dell, Facey, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Haines, Hanson, Harrington, Hedges, Kitzenberg, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Ohs, Pavlovich, Quilici, Rose, Ryan, Shockley, Sliter, Smith, Squires, Story, Stovall, Tash, Taylor, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 45

Noes: Adams, Ahner, J. Andersen, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Erickson, Ewer, Fisher, Guggenheim, Gutsche, Harper,

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Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Lawson, Lenhart, McCann, McGee, Mood, Noennig, Orr, Peck, Raney, Rehbein, Schmidt, Simon, Soft, Somerville, Swanson, Thomas, Trexler, Vick, Walters.

Total 50

Excused: Juneau, Krenzler.

Total 2

Absent or not voting: Gillan, Hagener, Molnar.

Total 3

MOTIONS

Representative Mood moved to reconsider the action on **HB 59** on 2nd reading on Saturday, Legislative Day 24, 1/30/1999. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Golie, Grinde, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Quilici, Rehbein, Rose, Sliter, Smith, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Tropila, Vick, Wagner, Walters, Witt, Younkin, Mr. Speaker.

Total 59

Noes: Adams, Barnhart, Buzzas, Cobb, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hurdle, Johnson, Lindeen, Mangan, Matthews, McCulloch, Orr, Pavlovich, Raney, Ryan, Schmidt, Shockley, Squires, Story, Swanson, Trexler, Tuss, Wyatt, Zook.

Total 35

Excused: Juneau, Krenzler.

Total 2

Absent or not voting: Gillan, Peck, Simon, Williams.

Total 4

Representative Mood moved that **HB 59** be rereferred to the Committee on Judiciary. Motion carried.

SPECIAL ORDERS OF THE DAY

Representative Grinde asked for the permission of the House to video members on the floor for historical purposes. There were no objections.

The following remarks were made by Representative Younkin recognizing Jeannette Rankin and her works with women's suffrage:

Mr. Speaker, Members of the House, today is an important day in Montana history. On this date, February 1st, in 1911, in an unusual event, one of Montana's great political pioneers, Jeannette Rankin, addressed this body and asked for approval of women's suffrage, which at that time, she later said, "was the funniest thing in the world to most men."

In what is still good and proper today, she asked that they "base their judgment on reason, not on prejudice." She

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said, "We do not contend that the extension of the suffrage to women will be a panacea for all evils, but we do contend that it will place the right of suffrage on a basis of reason instead of on a basis of birth."

Jeannette Rankin's historic speech 88 years ago was one of many she gave to secure the right of women to vote and clearly paved the way for the 29 of us in the female persuasion serving in this House today and the 8 women in the Senate. I would like to acknowledge the efforts of Ms. Rankin, a truly remarkable woman in her time, and would submit that this 56th legislature of Montana is a better governing body because of the contributions of more women than ever before.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Tuesday, February 2, 1999. Motion carried.

House adjourned at 3:15 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

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Helena, Montana
February 2, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative McKenney. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman):

2/2/1999

Correctly printed: **HB 92, HB 129, HB 205, HB 231, HJR 2.**

Correctly engrossed: **HB 17, HB 107, HB 150, HB 153, HB 230, HB 281, HB 282, HB 320, HB 321, HB 322, HB 339, HB 360, HB 382, HJR 3, SB 194.**

EDUCATION (Masolo, Chairman):

2/2/1999

HB 103, introduced bill, be amended as follows:

1. Page 5, lines 9 and 10.

Strike: section 3 in its entirety

Insert: "**NEW SECTION. Section 3. Coordination instruction.** If Constitutional Initiative No. 75, enacting Article VIII, section 17, of the Montana constitution, is declared invalid, then [section 1], amending 20-9-308, and [section 2], amending 20-9-353, must read as follows:

Insert: "**Section 1.** Section 20-9-308, MCA, is amended to read:

"20-9-308. BASE budgets and maximum general fund budgets. (1) The trustees of a district shall adopt a general fund budget that:

~~(a) except as provided in subsection (2); is at least equal to the BASE budget established for the district; or and,~~

~~(b) except as provided in section 3, Chapter 38, Special Laws of November 1993, and subsection (4)(3) of this section, does not exceed the maximum general fund budget established for the district.~~

~~(2) (a) If the BASE budget for a district for the school fiscal year is greater than the general fund budget of the district for the prior school fiscal year, the trustees of the district:~~

~~(i) shall increase the general fund budget by at least:~~

~~(A) 25% of the range between the district general fund budget for the school fiscal year ending June 30, 1994, and the BASE budget for the district for the school fiscal year beginning July 1, 1994;~~

~~(B) 33.3% of the range between the district general fund budget for the school fiscal year ending June 30, 1995, and the BASE budget for the district for the school fiscal year beginning July 1, 1995;~~

~~(C) 50% of the range between the district general fund budget for the school fiscal year ending June 30, 1996, and the BASE budget for the district for the school fiscal year beginning July 1, 1996; or~~

~~(D) the remainder of the range between the district general fund budget for the school fiscal year ending June 30, 1997, and the BASE budget for the district for the school fiscal year beginning July 1, 1997;~~

~~(ii) may increase the general fund budget beyond the amount in subsection (2)(a)(i) but not by more than 4% of the previous year's general fund budget or by more than 4% of the previous year's general fund per-ANB multiplied by the current year's ANB for budgeting purposes pursuant to subsection (2)(b).~~

~~(b) The trustees shall submit a proposition on any amount exceeding the limitations in subsection (2)(a)(i) to the electors of the district, as provided in 20-9-353.~~

~~(3) (a)(2) (a)~~ Whenever the trustees of a district adopt a general fund budget that exceeds the BASE budget for the district but does not exceed the maximum general fund budget for the district, the trustees shall submit a proposition to the electors of the district, as provided in 20-9-353, for any budget amount that exceeds the greater

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of:

(i) the previous year's general fund budget amount; or
(ii) the previous year's general fund budget per-ANB multiplied by the current year's ANB for budgeting purposes.

(b) A general fund budget adopted under this subsection ~~(3)~~(2) may not exceed the greater of:

(i) 104% of the previous year's general fund budget as adjusted by the provisions of section 3, Chapter 38, Special Laws of November 1993; or

(ii) 104% of the previous year's general fund budget per-ANB multiplied by the current year's ANB for budgeting purposes as adjusted by the provisions of section 3, Chapter 38, Special Laws of November 1993.

~~(4) (a) If the maximum general fund budget for a district for an ensuing school fiscal year is less than the general fund budget for the district for the current school fiscal year, as adjusted by the provisions of section 3, Chapter 38, Special Laws of November 1993, the trustees of the district may not adopt a general fund budget for the ensuing school fiscal year that is greater than the district's general fund budget for the current school fiscal year.~~

(3) (a) The trustees may adopt a general fund budget that is greater than the maximum general fund budget only if the adopted budget for the previous year was greater than the maximum general fund budget for the previous year. The adopted budget may not exceed the adopted budget for the previous year.

(b) ~~Except for the school fiscal year beginning July 1, 1994, the~~ The trustees of the district shall submit a proposition to raise any general fund budget amount that is in excess of the maximum general fund budget for the district to the electors who are qualified under 20-20-301 to vote on the proposition, as provided in 20-9-353.

~~(5)(4) Whenever the trustees of a district adopt a general fund budget that does not exceed the BASE budget for the district, the trustees shall finance this amount with~~ The BASE budget for the district must be financed by the following sources of revenue:

(a) state equalization aid as provided in 20-9-343, including any guaranteed tax base aid for which the district may be eligible, as provided in 20-9-366 through 20-9-369;

(b) county equalization aid, as provided in 20-9-331 and 20-9-333;

(c) a district levy for support of a school not approved as an isolated school under the provisions of 20-9-302;

(d) payments in support of special education programs under the provisions of 20-9-321;

(e) nonlevy revenue as provided in 20-9-141; and

(f) a BASE budget levy on the taxable value of all property within the district.

~~(6)(5)~~ The over-BASE budget amount of a district must be financed by a levy on the taxable value of all property within the district or other revenue available to the district as provided in 20-9-141."

Insert: Section 2. Section 20-9-353, MCA, is amended to read:

"20-9-353. Additional financing for general fund -- election for authorization to impose. (1) The trustees of a district may propose to adopt:

(a) ~~a budget amount up to the BASE budget amount for the district general fund that is within the limitations and required budget increases provided in 20-9-308(2);~~

~~(b)~~ an over-BASE budget amount for the district general fund that does not exceed the maximum general fund budget for the district or other limitations, as provided in 20-9-308~~(3)~~(2); or

~~(c)(b)~~ a general fund budget amount in excess of the maximum general fund budget amount for the district, as provided in 20-9-308~~(4)~~(3).

(2) When the trustees of a district determine that a voted amount of financing is required for the general fund budget, the trustees shall submit the proposition to finance the ~~additional voted~~ amount of general fund ~~financing budget authority~~ to the electors who are qualified under 20-20-301 to vote upon the proposition. The special election must be called and conducted in the manner prescribed by this title for school elections. The ballot for the election must state the amount of ~~money~~ budget authority to be ~~financed, authorized and the approximate number of mills required to raise all or a portion of the money, and the purpose for which the money will be expended~~ effect on the district's general fund mill levy. The ballot must be in the following format:

PROPOSITION

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The district levied (state the number of mills) mills to support the previous year's general fund budget. If this proposition is approved, the mills levied in support of the district's general fund budget are estimated to (state whichever is applicable):

- (1) remain the same;
- (2) increase by approximately (state the number of mills) mills; or
- (3) decrease by approximately (state the number of mills) mills.

Shall the district be authorized to ~~expend the sum of (state the additional amount to be expended), and being approximately (give number) mills, for the purpose of (insert the purpose for which the additional financing is made~~ adopt a general fund budget that exceeds the nonvoted general fund budget amount by (state the additional budget amount)?

- ☐ FOR budget authority and any levy.
- ☐ AGAINST budget authority and any levy.

(3) If the election on any additional ~~financing~~ budget authority for the general fund is approved by a majority vote of the electors voting at the election, the proposition carries and the trustees may use any portion or all of the authorized amount in adopting the final general fund budget. The trustees shall certify any additional levy amount authorized by the special election on the budget form that is submitted to the county superintendent, and the county commissioners shall levy the authorized number of mills on the taxable value of all taxable property within the district, as prescribed in 20-9-141, ~~to raise the amount of the additional levy.~~

(4) Authorization to levy an additional tax to support a budget amount adopted as allowed by 20-9-308~~(4)~~(3) is effective for only 1 school fiscal year.

(5) All levies adopted under this section must be authorized by a special election conducted before August 1 of the school fiscal year for which it is effective.

(6) If the trustees of a district are required to submit a proposition to finance an ~~increased amount up to the BASE budget amount, as provided in 20-9-308(2)(b), an increased~~ over-BASE budget amount, as provided in 20-9-308~~(3)(a)~~(2), or an amount in excess of the maximum general fund budget amount for the district as allowed by 20-9-308~~(4)~~(3) to the electors of the district, the trustees shall comply with the provisions of subsections (2) through ~~(4)~~(5). "" "

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):

2/2/1999

HB 96, do pass. Report adopted.

HB 346, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 16 and line 18.

Strike: "assess"

Insert: "access"

3. Page 1, line 24.

Strike: section 3 in its entirety

And, as amended, do pass. Report adopted.

HB 392, do pass. Report adopted.

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FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 462, introduced by R. Buzzas, T. Schmidt, C. Williams, referred to Human Services.

HB 463, introduced by P. Clark, referred to Agriculture.

HB 464, introduced by P. Clark, referred to Agriculture.

HB 465, introduced by P. Clark, referred to Agriculture.

HB 466, introduced by P. Clark, referred to Agriculture.

HB 467, introduced by C. Hibbard, A. Bishop, V. Cocchiarella, B. Crippen, R. Dale, B. DePratu, A. Ellis, K. Galvin-Halcro, L. Grinde, L. Grosfield, T. Hagener, M. Hanson, J. Harp, D. Harrington, T. Keating, R. Lenhart, M. Lindeen, J. Mangan, J. Mercer, A. Mohl, R. Peck, J. Quilici, B. Rehbein, S. Rose, G. Roush, D. Shea, C. Squires, B. Story, C. Swysgood, B. Tash, J. Tester, J. Wells, J. Witt, referred to Transportation.

HB 468, introduced by M. Brainard, referred to State Administration.

HB 469, introduced by M. Brainard, referred to State Administration.

HB 470, introduced by B. Kasten (by request of the House Joint Appropriations Subcommittee on Human Services and Aging), referred to Appropriations.

HB 471, introduced by J. Cobb, referred to State Administration.

HB 472, introduced by R. Buzzas, G. Jergeson, S. Rose, T. Schmidt, C. Williams, referred to Education.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 13, introduced by J. McKenney, E. Clark, referred to Education.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Tropila in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 211 - Representative Johnson moved **HB 211** do pass.

HB 211 - Representative Brainard moved **HB 211**, second reading copy, be amended as follows :

1. Page 1, line 16.

Following: "(2)"

Insert: "(a)"

2. Page 1.

Following: line 23

Insert: "(b) For the purpose of this section, the jurisdiction of a city is restricted to the corporate boundary of the city."

Amendment failed as follows:

Ayes: Adams, J. Andersen, S. Anderson, Brainard, R. Clark, Curtiss, Davies, Grinde, Haines, Holden, Johnson,

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Jore, Lawson, McGee, Noennig, Orr, Rehbein, Sliter, Tash, Vick, Walters, Younkin, Mr. Speaker.
Total 23

Noes: Ahner, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Zook.
Total 75

Excused: None.
Total 0

Absent or not voting: Bitney, Molnar.
Total 2

Motion that **HB 211** do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 82

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Fuchs, Grinde, Jore, Kasten, McCann, McGee, Mood, Orr, Rehbein, Story, Vick.
Total 16

Excused: None.
Total 0

Absent or not voting: Molnar, Williams.
Total 2

HB 141 - Representative Hagener moved **HB 141** do pass.

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

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Noes: Jore, Rehbein.
Total 2

Excused: None.
Total 0

Absent or not voting: Adams, E. Bergsagel, Molnar.
Total 3

HB 152 - Representative Anderson moved **HB 152** do pass. Motion carried as follows:

Ayes: S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Matthews, McCulloch, Menahan, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Swanson, Tash, Trexler, Tropila, Williams, Wyatt, Younkin.
Total 58

Noes: Adams, Ahner, J. Andersen, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Davies, Fuchs, Golie, Grinde, Haines, Johnson, Jore, Kasten, Mangan, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Orr, Rehbein, Sliter, Story, Stovall, Taylor, Thomas, Tuss, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 41

Excused: None.
Total 0

Absent or not voting: Cobb.
Total 1

HB 337 - Representative Bergsagel moved **HB 337** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kasten, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Williams, Witt, Wyatt, Younkin, Mr. Speaker.
Total 86

Noes: Fuchs, Johnson, Jore, McCann, Orr, Rehbein, Taylor, Wagner, Walters, Zook.
Total 10

Excused: None.
Total 0

Absent or not voting: Adams, Cobb, Fisher, Kitzenberg.

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Total 4

HB 390 - Representative Lawson moved **HB 390** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Brainard.

Total 1

Excused: None.

Total 0

Absent or not voting: Barnhart, Guggenheim, Stovall.

Total 3

HB 10 - Representative Quilici moved **HB 10** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: Adams, Brainard, Brown, R. Clark, Holden, Hurdle, Johnson, Jore, Raney, Rehbein, Story.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 12 - Representative Quilici moved **HB 12** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Hurdle, Jackson, Johnson, Juneau,

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Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 80

Noes: Adams, P. Bergsagel, Brainard, Brown, Cobb, Curtiss, Davies, Fuchs, Holden, Jore, Raney, Rehbein, Story, Vick.

Total 14

Excused: None.

Total 0

Absent or not voting: Fisher, Grinde, Hedges, Orr, Pavlovich, Sliter.

Total 6

HB 217 - Representative Rose moved **HB 217** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: Adams, E. Bergsagel, P. Bergsagel, Davies, Jore, McGee, Molnar, Orr, Rehbein, Shockley, Story, Wagner.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 218 - Representative Rose moved **HB 218** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 81

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Davies, Fuchs, Grinde, Jore, Masolo, McGee,

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Molnar, Orr, Rehbein, Shockley, Sliter, Story, Vick, Wagner.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 219 - Representative Rose moved **HB 219** do pass. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 79

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Brainard, Cobb, Curtiss, Davies, Grinde, Haines, Jore, Masolo, McGee, Molnar, Orr, Rehbein, Shockley, Sliter, Story, Vick, Wagner.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 248 - Representative Harrington moved **HB 248** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Dale, Davies, Dell, Eggers, Ewer, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 89

Noes: Brainard, Brown, R. Clark, Curtiss, Erickson, Facey, Fisher, Hagener, Masolo, Peck.
Total 10

Excused: None.
Total 0

Absent or not voting: Gillan.

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Total 1

HB 23 - Representative Kitzenberg moved **HB 23** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Barnhart, P. Bergsagel, Grinde, Jore, Orr, Rehbein, Shockley, Wagner.

Total 8

Excused: None.

Total 0

Absent or not voting: Cobb, Guggenheim.

Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Mood in the chair. Chairman Tropila moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Soft, Somerville, Squires, Story, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: P. Bergsagel, Fuchs, Grinde, Jore, Rehbein, Sliter.

Total 6

Excused: None.

Total 0

Absent or not voting: Brainard, Cobb, Fisher, Haines, Lenhart, Orr, Smith, Stovall, Younkin.

Total 9

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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HB 24 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 85

Noes: Adams, P. Bergsagel, R. Clark, Curtiss, Jore, McGee, Molnar, Orr, Rehbein, Vick, Wagner.
Total 11

Excused: None.
Total 0

Absent or not voting: E. Bergsagel, Brainard, Cobb, Tuss.
Total 4

HB 107 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Wyatt, Zook, Mr. Speaker.
Total 73

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, Brown, Curtiss, Davies, Grinde, Hanson, Jackson, Jore, Kasten, McCann, McGee, McKenney, Molnar, Orr, Rehbein, Sliter, Story, Taylor, Vick, Wagner, Witt, Younkin.
Total 26

Excused: None.
Total 0

Absent or not voting: Cobb.
Total 1

HB 153 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler,

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Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 79

Noes: Brown, Davies, Golie, Jackson, Jore, Juneau, Kasten, Lindeen, McGee, Molnar, Orr, Peck, Rehbein, Ryan, Soft, Story, Tropila, Vick, Wagner.
Total 19

Excused: None.
Total 0

Absent or not voting: Brainard, Cobb.
Total 2

HB 230 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 85

Noes: Adams, E. Bergsagel, P. Bergsagel, Davies, Fuchs, Jore, McGee, Orr, Pavlovich, Rehbein, Vick, Wagner.
Total 12

Excused: None.
Total 0

Absent or not voting: Brainard, E. Clark, Cobb.
Total 3

HB 281 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 85

Noes: Adams, E. Bergsagel, P. Bergsagel, Cobb, Curtiss, Davies, Fuchs, Jore, McGee, Molnar, Orr, Sliter, Vick, Wagner.
Total 14

Excused: None.

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Total 0

Absent or not voting: Brainard.

Total 1

HB 282 passed as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Beck, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 79

Noes: Adams, Ahner, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Cobb, Curtiss, Davies, Fuchs, Grinde, Jore, Kasten, McGee, Molnar, Orr, Shockley, Sliter, Vick, Wagner.

Total 20

Excused: None.

Total 0

Absent or not voting: Brainard.

Total 1

HB 320 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Jore, Orr, Wagner.

Total 3

Excused: None.

Total 0

Absent or not voting: Brainard.

Total 1

HB 321 passed as follows:

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Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 75

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, E. Clark, Curtiss, Davies, Hanson, Hurdle, Jackson, Jore, McCann, McGee, Orr, Peck, Rehbein, Ryan, Story, Taylor, Vick, Wagner, Witt.

Total 22

Excused: None.

Total 0

Absent or not voting: Brainard, Gallus, Shockley.

Total 3

HB 322 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 78

Noes: Adams, E. Bergsagel, P. Bergsagel, E. Clark, Davies, Grinde, Hanson, Hurdle, Jore, McGee, Orr, Rehbein, Ryan, Shockley, Story, Taylor, Vick, Wagner, Witt.

Total 19

Excused: None.

Total 0

Absent or not voting: Brainard, Curtiss, Gillan.

Total 3

HB 339 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Facey, Fisher, Fuchs, Gillan, Golie, Grinde, Gutsche, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, McCann, McCulloch, McGee, McKenney, Mood, Noennig, Ohs, Peck, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

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Total 79

Noes: E. Bergsagel, P. Bergsagel, Erickson, Ewer, Gallus, Galvin-Halcro, Harper, Harrington, Jore, Kasten, Mangan, Matthews, Menahan, Molnar, Orr, Pavlovich, Quilici, Tuss, Wyatt.

Total 19

Excused: None.

Total 0

Absent or not voting: Brainard, Guggenheim.

Total 2

HB 360 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Holden.

Total 1

HB 382 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

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Total 0

Absent or not voting: Brainard.

Total 1

HJ 3 adopted as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Adams, Jore, Orr, Smith.

Total 4

Excused: None.

Total 0

Absent or not voting: Brainard.

Total 1

SB 194 concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, E. Bergsagel, P. Bergsagel, Jore, McCann, Orr, Raney, Rehbein, Wagner.

Total 9

Excused: None.

Total 0

Absent or not voting: Brainard.

Total 1

MOTIONS

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Representative Molnar requested that on **HB 20, HB 26, HB 126, HB 149**, and **HJR 4**, 3rd reading, Monday, Legislative Day 25, 2/1/1999, he be shown as voting yes. Motion carried.

Representative Shockley requested that on **HB 217**, 2nd reading today, his vote be changed from yes to no. There being no objections, so ordered.

Representative Grinde moved that **SB 9** be taken from the Committee on Natural Resources and be rereferred to the Committee on Agriculture. There being no objections, so ordered.

Representative Grinde moved that the Joint Rules be suspended to provide that a single bill draft request is sufficient to authorize the drafting and introduction of the number of bills that may be required by CI-75 in order to implement the single bill draft request. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Wednesday, February 3, 1999. Motion carried.

House adjourned at 2:55 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
February 3, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Linda Holden, wife of Representative John Holden. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Expressions of Silence, a group from the Montana School for the Deaf and Blind in Great Falls, Montana, gave a sign language performance to two songs. Recognized were Superintendent John Kinna and Director Jesteadt Gunderson.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twenty-fifth and twenty-sixth legislative days, find the same to be correct.

Rehbein, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/3/1999
Correctly printed: **HB 96, HB 103, HB 346, HB 361, HB 371, HB 392.**
Correctly engrossed: **HB 10, HB 12, HB 23, HB 141, HB 152, HB 211, HB 217, HB 218, HB 219, HB 248, HB 337, HB 390.**

HUMAN SERVICES (Soft, Chairman): 2/3/1999
SB 30, be concurred in. Report adopted.
SB 76, be concurred in. Report adopted.
SB 93, be concurred in. Report adopted.

JUDICIARY (Clark, Chairman): 2/2/1999
HB 361, introduced bill, be amended as follows:

1. Page 1, line 27

Following: ~~"Whenever"~~

Insert: "(1)"

2. Page 2, line 4 through line 5.

Strike: subsection (2) in its entirety

Insert: "(2) If the owner of the property against which a lien is filed pays the underlying claim before an action is filed on that claim or to foreclose the lien, the owner of the property against which the lien was filed shall pay the lienholder's costs and attorney fees incurred for filing and recording the lien before the lien may be released."

And, as amended, do pass. Report adopted.

HB 371, introduced bill, be amended as follows:

1. Title, line 8.

Strike: first "AND"

2. Title, line 9.

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Following: "MCA"

Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

3. Page 1, line 15.

Strike: "\$1,000"

Insert: "\$500"

4. Page 1, line 24.

Strike: "\$1,500"

Insert: "\$1,000"

5. Page 2, line 2.

Strike: "\$1,500"

Insert: "\$1,000"

6. Page 2, line 11.

Insert: "NEW SECTION. **Section 3. Effective date.** [This act] is effective January 1, 2000."

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Ahner, Chairman):

2/3/1999

HB 296, do pass. Report adopted.

STATE/FEDERAL RELATIONS (Curtiss, Chairman):

2/3/1999

HB 89, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: "department"

Insert: "governor"

2. Page 1, line 23.

Strike: "department"

Insert: "governor"

3. Page 1, line 24.

Strike: "department"

Insert: "governor"

And, as amended, do pass. Report adopted.

HJR 7, be adopted. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/2/1999

SB 27, introduced by Hertel

SB 89, introduced by Stang

SB 90, introduced by Stang

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SB 113, introduced by Mahlum

House amendments to Senate bill concurred in:

2/2/1999

SB 56, introduced by McCarthy

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 473, introduced by R. Menahan, S. Gallus, referred to Transportation.

HB 474, introduced by C. Hibbard, C. Ahner, G. Beck, T. Beck, C. Christiaens, R. Clark, B. Crippen, D. Ewer, K. Galvin-Halcro, D. Grimes, M. Halligan, J. Harp, H. Harper, D. Harrington, S. Kitzenberg, J. Lynch, L. McCulloch, R. Menahan, K. Ohs, D. Shea, C. Squires, B. Wilson, referred to State Administration.

HB 475, introduced by D. Wyatt (by request of the Joint Select Committee on CI-75), referred to Appropriations.

HB 476, introduced by R. Johnson, M. Halligan, C. Hibbard, referred to Local Government.

HB 477, introduced by G. Golie, G. Beck, J. Mangan, C. Tuss, referred to Transportation.

HB 478, introduced by G. Golie, G. Beck, A. Bishop, P. Clark, E. Franklin, S. Gallus, H. Harper, K. Miller, J. Wells, referred to Fish, Wildlife and Parks.

HB 479, introduced by R. Johnson, referred to Taxation.

HB 480, introduced by R. Johnson, referred to Appropriations.

HB 481, introduced by J. Stovall, T. Beck, R. Bitney, M. Cole, L. Grinde, M. Hanson, J. Harp, D. Hedges, B. Kasten, D. McGee, J. Mercer, D. Mood, K. Ohs, P. Sliter, M. Sprague, B. Tash, L. Taylor, D. Wagner, T. Zook, referred to Judiciary.

HB 482, introduced by J. Mangan, C. Christiaens, T. Dell, E. Franklin, K. Gillan, B. Krenzler, B. Molnar, T. Schmidt, referred to Judiciary.

HB 483, introduced by G. Beck, S. Gallus, G. Golie, D. Harrington, J. Hurdle, R. Lenhart, J. Lynch, J. Mangan, G. Matthews, B. McCarthy, R. Menahan, J. Quilici, referred to Appropriations.

HB 484, introduced by S. Anderson, A. Curtiss, A. Ellis, D. Mood, B. Tash, referred to Natural Resources.

HB 485, introduced by S. Anderson, A. Curtiss, A. Ellis, G. Masolo, D. Mood, R. Somerville, B. Tash, referred to Natural Resources.

HB 486, introduced by S. Anderson, S. Gallus, L. Grosfield, J. Harp, D. Harrington, B. McCarthy, K. Ohs, M. Waterman, C. Younkin, referred to Natural Resources.

HB 487, introduced by S. Anderson, S. Gallus, L. Grosfield, J. Harp, D. Harrington, B. McCarthy, K. Ohs, M. Waterman, C. Younkin, referred to Natural Resources.

HB 488, introduced by D. Wagner, D. Adams, R. Bitney, J. Cobb, A. Curtiss, J. Harp, H. Harper, V. Jackson, R. Jore, B. Kasten, S. Kitzenberg, B. Lawson, B. Molnar, S. Orr, B. Raney, P. Sliter, R. Somerville, A. Walters, referred to Fish, Wildlife and Parks.

HB 489, introduced by D. Wagner, P. Bergsagel, A. Curtiss, S. Kitzenberg, G. Masolo, B. Rehbein, S. Rose, P. Sliter, J. Stovall, A. Walters, referred to Business and Labor.

HB 490, introduced by S. Anderson, T. Beck, E. Bergsagel, J. Bohlinger, V. Cocchiarella, B. Crippen, E. Franklin, D. Fuchs, B. Glaser, D. Grimes, L. Grosfield, M. Halligan, D. Hargrove, J. Harp, J. Hertel, B. Keenan, D. McGee, A. Mohl, K. Ohs, D. Shea, F. Thomas, C. Younkin, referred to State Administration.

HB 491, introduced by P. Clark, referred to Agriculture.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 14, introduced by D. Adams, J. Andersen, M. Brainard, G. Golie, B. Kasten, F. Smith, A. Walters, referred to Education.

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HJR 15, introduced by J. Stovall, D. Adams, S. Anderson, T. Beck, R. Bitney, R. Brown, V. Cocchiarella, M. Cole, B. Crippen, D. Ewer, K. Gillan, L. Grinde, M. Hanson, J. Harp, D. Hedges, B. Kasten, D. McGee, J. Mercer, D. Mood, M. Noennig, K. Ohs, B. Pavlovich, B. Raney, P. Sliter, M. Sprague, B. Tash, L. Taylor, C. Tuss, B. Wilson, C. Younkin, T. Zook, referred to Business and Labor.

HJR 16, introduced by D. Ewer, C. Ahner, G. Beck, A. Bishop, S. Bookout-Reinicke, R. Buzzas, P. Clark, T. Dell, D. Eck, J. Ellingson, R. Erickson, T. Facey, S. Gallus, K. Gillan, G. Golie, M. Guggenheim, G. Gutsche, H. Harper, D. Harrington, C. Juneau, S. Kitzenberg, B. Lawson, R. Lenhart, M. Lindeen, J. Mangan, L. McCulloch, B. Molnar, B. Raney, G. Roush, B. Ryan, B. Simon, F. Smith, C. Squires, S. Stang, J. Stovall, C. Williams, referred to Business and Labor.

HJR 17, introduced by A. Curtiss, referred to State/Federal Relations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Sliter in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 132 - Representative Kasten moved **HB 132** do pass.

HB 132 - Representative Rehbein moved **HB 132**, second reading copy, be amended as follows :

1. Title, page 1, line 10.

Strike: "CLARIFYING"

Insert: "REVISING"

2. Page 1, line 29.

Strike: "2%"

Insert: "1.5%"

3. Page 1, line 30.

Strike: "24%"

Insert: "18%"

4. Page 3, lines 19 and 25.

Strike: "2%"

Insert: "1.5%"

5. Page 3, lines 20 and 26.

Strike: "24%"

Insert: "18%"

6. Page 4, line 27.

Strike: "2%"

Insert: "1.5%"

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7. Page 4, line 28.

Strike: "24%"

Insert: "18%"

8. Page 5, line 1.

Strike: "2%"

Insert: "1.5%"

9. Page 5, line 2.

Strike: "24%"

Insert: "18%"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Guggenheim, Hanson, Hedges, Holden, Jackson, Jore, Kasten, Kitzenberg, Krenzler, Lenhart, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Ryan, Sliter, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 56

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Lawson, Lindeen, Mangan, Matthews, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Swanson, Tuss, Williams, Wyatt.

Total 43

Excused: None.

Total 0

Absent or not voting: Simon.

Total 1

Motion that **HB 132**, as amended, do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kasten, Kitzenberg, Lenhart, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Peck, Rose, Simon, Sliter, Smith, Soft, Story, Stovall, Tash, Taylor, Thomas, Tropila, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 56

Noes: Adams, Beck, Brainard, Brown, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Hagener, Harper, Harrington, Jore, Juneau, Krenzler, Lawson, Lindeen, Mangan, Matthews, McCulloch, Menahan, Orr, Pavlovich, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Squires, Swanson, Trexler, Tuss, Wagner, Williams, Wyatt.

Total 43

Excused: None.

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Total 0

Absent or not voting: Somerville.

Total 1

HB 168 - Representative Kasten moved **HB 168** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Erickson, Fisher, Fuchs, Gillan, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Peck, Rehbein, Rose, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 64

Noes: Beck, Brainard, Buzzas, P. Clark, Davies, Dell, Eggers, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Gutsche, Hagener, Harper, Harrington, Jore, Krenzler, Lindeen, Mangan, Matthews, McCulloch, Menahan, Orr, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Swanson, Trexler, Tropila, Tuss, Williams, Wyatt.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 7 - Representative Barnett moved **SB 7** be concurred in. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: Adams.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 204 - Representative Shockley moved **HB 204** do pass.

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HB 204 - Representative Andersen moved **HB 204**, second reading copy, be amended as follows :

1. Title, line 4.

Strike: "REQUIRING"

Insert: "AUTHORIZING"

2. Page 1, line 16.

Strike: "must"

Insert: "may"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Golie, Johnson, Peck, Trexler.

Total 4

Excused: None.

Total 0

Absent or not voting: P. Clark, Vick.

Total 2

Motion that **HB 204**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lenhart, Lindeen, Mangan, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 84

Noes: Barnhart, Galvin-Halcro, Gillan, Golie, Grinde, Hagener, Hurdle, Juneau, Krenzler, Lawson, Masolo, Matthews, Peck, Squires, Vick, Wyatt.

Total 16

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 301 - Representative McCann moved **HB 301** do pass.

HB 301 - Representative McCann moved **HB 301**, second reading copy, be amended as follows :

1. Page 1, line 30 through line 2 on page 2.

Following: "meeting" on page 1

Strike: the remainder of line 30 through "MEET" on page 2, line 2

Insert: "must have completed at least a 4-year program in speech language pathology or communication disorder and who pledges in writing to make demonstrable progress toward meeting"

2. Page 2, lines 11 and 12.

Following: "SERVICE." on line 11

Strike: the remainder of line 11 through the first "SERVICE." on line 12

Insert: "and"

Following: the second "SERVICE" on line 12

Strike: " "

Insert: " . "

3. Page 2, line 13.

Strike: "AND A DAILY MONTANA NEWSPAPER."

Amendment passed as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brainard, P. Clark, R. Clark, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Gallus, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Orr, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 69

Noes: J. Andersen, Barnhart, E. Bergsagel, P. Bergsagel, Buzzas, E. Clark, Cobb, Dell, Erickson, Ewer, Facey, Galvin-Halcro, Gillan, Hedges, Krenzler, Mangan, Matthews, McCulloch, Noennig, Pavlovich, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.

Total 27

Excused: None.

Total 0

Absent or not voting: Brown, Ohs, Thomas, Vick.

Total 4

Motion that **HB 301**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Galvin-Halcro, Hagener,

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Haines, Hanson, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Peck, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 69

Noes: J. Andersen, Barnhart, Buzzas, Cobb, Dell, Erickson, Ewer, Facey, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Harper, Harrington, Hedges, Hurdle, Juneau, Lindeen, Matthews, McCulloch, Noennig, Pavlovich, Quilici, Schmidt, Squires, Swanson, Tuss, Williams, Wyatt.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 26 - Representative Rose moved **SB 26** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: Jore.

Total 1

Excused: None.

Total 0

Absent or not voting: McKenney.

Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Sliter moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick,

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Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 93

Noes: Cobb, Squires, Tuss, Wyatt.
Total 4

Excused: None.
Total 0

Absent or not voting: Hedges, Noennig, Schmidt.
Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 10 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 88

Noes: Adams, Brainard, Brown, R. Clark, Holden, Hurdle, Johnson, Jore, Orr, Raney, Rehbein, Story.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 12 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 84

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Noes: Adams, P. Bergsagel, Brainard, Brown, R. Clark, Cobb, Curtiss, Davies, Fuchs, Jore, Orr, Raney, Rehbein, Story, Vick, Wagner.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 23 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Barnhart, P. Bergsagel, Grinde, Jore, Mood, Orr, Rehbein, Shockley, Wagner.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 141 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Jore, Rehbein.

Total 2

Excused: None.

Total 0

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Absent or not voting: Quilici.
Total 1

HB 152 failed as follows:

Ayes: S. Anderson, Barnhart, Beck, Buzzas, P. Clark, R. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Lawson, Lenhart, Lindeen, Matthews, McCann, McCulloch, Menahan, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Somerville, Squires, Swanson, Trexler, Tropila, Williams, Younkin.
Total 49

Noes: Adams, Ahner, J. Andersen, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Golie, Grinde, Haines, Hanson, Hedges, Jackson, Johnson, Jore, Kasten, Krenzler, Mangan, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Orr, Rehbein, Shockley, Sliter, Soft, Story, Stovall, Tash, Taylor, Thomas, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Zook, Mr. Speaker.
Total 51

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 211 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 88

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Fuchs, Jore, Kasten, McGee, Orr, Rehbein, Vick.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 217 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro,

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Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 82

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Davies, Grinde, Jore, Masolo, McGee, Molnar, Mood, Orr, Rehbein, Sliter, Story, Vick, Wagner.
Total 18

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 218 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 80

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Cobb, Curtiss, Davies, Grinde, Jore, Masolo, McGee, Molnar, Mood, Orr, Rehbein, Sliter, Story, Vick, Wagner, Walters.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 219 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 80

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Davies, Grinde, Jore, Masolo, McGee, Molnar,

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Mood, Ohs, Orr, Rehbein, Shockley, Sliter, Story, Vick, Wagner.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 337 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 89

Noes: Adams, Fuchs, Hurdle, Johnson, Jore, McCann, Orr, Peck, Rehbein, Rose, Wagner.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 390 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: Witt.
Total 1

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

HB 17 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Younkin, Mr. Speaker.
Total 85

Noes: E. Bergsagel, Brown, Erickson, Galvin-Halcro, Hurdle, Masolo, Molnar, Mood, Noennig, Ryan, Taylor, Wyatt, Zook.
Total 13

Excused: None.
Total 0

Absent or not voting: Shockley, Witt.
Total 2

HB 150 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 91

Noes: Adams, S. Anderson, Curtiss, Hedges, Jore, Orr, Rehbein, Story, Wagner.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative McGee requested that on **HB 23**, 3rd reading today, his vote be changed from no to yes. There being no objections, so ordered.

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Representative P. Clark requested that on **SB 26**, 2nd reading today, his vote be shown as yes. There being no objections, so ordered.

Representative Williams requested that on **HB 390**, 3rd reading today, her vote be shown as yes. There being no objections, so ordered.

Representative Facey requested that **HB 133** be taken from the Committee on Appropriations and be placed on 2nd reading today.

Representative Grinde called for the previous question.

Motion failed as follows:

Ayes: Barnhart, Beck, Brainard, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 43

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 56

Excused: None.

Total 0

Absent or not voting: Simon.

Total 1

Representative Dale requested that on **HB 150**, 3rd reading today, his vote be shown as yes. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Thursday, February 4, 1999. Motion carried.

House adjourned at 3:00 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

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TWENTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
February 4, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Hibbard. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Bitney and Juneau. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-seventh legislative day, find the same to be correct.

Rehbein, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/4/1999
Correctly printed: **HB 89, HB 267, HB 296, HB 306, HB 344, HB 348, HB 391, HB 421, HJR 7, SB 2, SB 30, SB 76, SB 93, SB 141, SB 147.**
Correctly engrossed: **HB 132, HB 168, HB 204, HB 301, SB 7, SB 26.**

AGRICULTURE (Barnett, Chairman): 2/3/1999
HB 391, introduced bill, be amended as follows:

1. Title, page 1, lines 9 through 12.
Strike: "CLARIFYING" on line 9 through "CLEANUP;" on line 12

2. Title, page 1, line 12.
Following: "80-8-116"
Strike: ", "
Insert: "AND"

3. Title, page 1, line 13.
Strike: "AND 80-8-305,"

4. Page 3, line 18 through Page 5, line 10.
Strike: Section 4 in its entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 141, be concurred in. Report adopted.
SB 147, be concurred in. Report adopted.

APPROPRIATIONS (Zook, Chairman): 2/3/1999
SB 136, be concurred in. Report adopted.

BUSINESS AND LABOR (Simon, Chairman): 2/3/1999
HB 306, do pass. Report adopted.
HB 421, do pass. Report adopted.

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EDUCATION (Masolo, Chairman):

2/4/1999

HB 236, do pass. Report adopted.

HB 310, introduced bill, be amended as follows:

1. Title, line 7.

Following: "ACTIVITY;"

Insert: "AUTHORIZING A SCHOOL TO PROVIDE TO YOUTH COURT AND LAW ENFORCEMENT
AUTHORITIES EDUCATION RECORDS THAT PERTAIN TO VIOLATIONS OF THE MONTANA
YOUTH COURT ACT OR CRIMINAL LAWS BY PUPILS;"

Following: "SCHOOL"

Insert: "DISTRICT"

2. Title, line 7 and line 8.

Following: the first "TO" on line 7

Strike: "EXPEL" on line 7 through "LAW" on line 8

Insert: "APPLY ITS POLICIES REGARDING SUSPENSION AND EXPULSION TO INFORMATION
RECEIVED FROM THE YOUTH COURT"

3. Page 2, line 5.

Following: "if"

Insert: "after an investigation,"

4. Page 2, line 5 and line 6.

Strike: "petition" on line 5 through "the" on line 6

5. Page 2, line 6.

Following: "officer"

Insert: "finds that it is necessary for a youth to transfer to another school or that a youth is a hazard to students at
the youth's present school, if the juvenile probation officer"

6. Page 2, line 7.

Following: "activity"

Insert: ", "

7. Page 2, line 8.

Following: "in"

Insert: "illegal"

Following: "use"

Insert: ", illegal drug distribution,"

8. Page 2, line 9.

Following: "school"

Insert: "district"

Strike: "will"

Insert: "presently attends or has applied to"

9. Page 2, line 9 and line 10.

Strike: "drug" on line 9 through "issues" on line 10

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Insert: "findings or grounds for the reasonable cause"

10. Page 2, line 10.

Following: "school"

Insert: "district"

11. Page 2, line 10 and line 11.

Strike: "expe" on line 10 through "but" on line 11

Insert: "apply its policies regarding admission, suspension, and expulsion to information received from the juvenile probation officer or the youth court. A school district"

12. Page 2, line 17 and line 18.

Strike: "for" on line 17 through "enforcement of" on line 18

Insert: ". The administrative officials may enforce"

13. Page 2.

Following: line 20

Insert: "(6) The school district may disclose, without consent, personally identifiable information from an education record of a pupil to the youth court and law enforcement authorities pertaining to violations of the Montana Youth Court Act or criminal laws by the pupil. The youth court or law enforcement authorities receiving the information shall certify in writing to the school district that the information will not be disclosed to any other party except as provided under state law without the prior consent of the parent or guardian of the pupil."

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 348, introduced bill, be amended as follows:

2/2/1999

1. Title, line 4.

Following: the second "ACT"

Insert: "REDUCING THE NUMBER OF TIMES SCHOOL TRUSTEES IN A FIRST-CLASS ELEMENTARY DISTRICT ARE REQUIRED TO MEET;"

2. Page 1, line 15 and line 16.

Strike: "in" on line 15 through "district," on line 16

3. Page 1, line 19.

Strike: "or (1)(d)"

And, as amended, do pass. Report adopted.

SB 2, be concurred in. Report adopted.

2/3/1999

FISH, WILDLIFE AND PARKS (Wagner, Chairman):

2/3/1999

HB 267, introduced bill, be amended as follows:

1. Page 5, line 20.

Following: "category"

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Insert: "and at not more than the fee set by the commission for licenses in the outfitter-sponsored category as specified in 87-1-268"

And, as amended, do pass. Report adopted.

HB 344, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "INCLUDED IN"

Insert: "CONSIDERED FOR PART OF"

2. Page 2, line 21.

Following: "be"

Strike: "included as"

Insert: "considered for"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):

2/4/1999

HB 142, introduced bill, be amended as follows:

1. Page 3, line 10.

Following: "(3)"

Insert: "(a)"

2. Page 3, line 12.

Following: "decision."

Strike: "In"

Insert: "Except as provided in subsection (3)(b), in"

3. Page 3, line 16.

Following: "law."

Insert: "(b) When new, material, and significant evidence is presented to the district court that had not previously been presented to the agency for its consideration, the district court shall remand the new evidence back to the agency for the agency's consideration and an opportunity to modify its findings of fact and administrative decision before the district court considers the evidence within the administrative record under review. Immaterial or insignificant evidence may not be remanded to the agency. The district court shall review the agency's findings and decision to determine whether they are supported by substantial, credible evidence within the administrative record under review."

And, as amended, do pass. Report adopted.

HB 300, do pass. Report adopted.

HB 331, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/3/1999

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SB 205, introduced by McNutt
SB 206, introduced by McNutt
SB 210, introduced by Lynch
SB 214, introduced by Bartlett
SB 226, introduced by Hertel

Senate bill passed and transmitted to the House for concurrence:

2/4/1999

SB 197, introduced by Christiaens
SB 219, introduced by Waterman
SB 225, introduced by Hertel
SB 274, introduced by Wilson

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 492, introduced by H. Harper, P. Clark, D. Ewer, M. Hanson, D. Harrington, C. Hibbard, J. Holden, R. Menahan, B. Pavlovich, J. Quilici, B. Raney, S. Rose, J. Tropila, T. Zook, referred to Judiciary.
HB 493, introduced by D. Harrington, P. Clark, R. Erickson, D. Ewer, S. Gallus, K. Galvin-Halcro, G. Gutsche, S. Kitzenberg, J. Mangan, L. McCulloch, B. Molnar, B. Pavlovich, J. Quilici, C. Squires, referred to Business and Labor.
HB 494, introduced by C. Squires, C. Ahner, S. Bartlett, G. Beck, T. Beck, R. Clark, D. Ewer, S. Gallus, K. Galvin-Halcro, B. Glaser, D. Grimes, M. Guggenheim, D. Hargrove, H. Harper, J. Hertel, C. Hibbard, S. Kitzenberg, R. Menahan, B. Pavlovich, J. Quilici, D. Shea, B. Wilson, C. Younkin, referred to State Administration.
HB 495, introduced by B. Pavlovich, G. Beck, S. Gallus, D. Harrington, B. McCarthy, L. McCulloch, R. Menahan, J. Quilici, G. Roush, D. Shea, C. Squires, J. Tropila, C. Tuss, C. Williams, referred to Appropriations.
HB 496, introduced by A. Curtiss, C. Ahner, P. Bergsagel, D. Haines, M. Hanson, B. Kasten, S. Orr, L. Taylor, D. Wagner, referred to State Administration.
HB 497, introduced by P. Bergsagel, D. Adams, C. Ahner, J. Andersen, S. Bookout-Reinicke, M. Brainard, E. Clark, R. Clark, A. Curtiss, B. DePratu, S. Fisher, D. Fuchs, D. Grimes, D. Haines, M. Hanson, B. Kasten, B. Keenan, K. Miller, B. Molnar, D. Mood, S. Orr, L. Taylor, M. Taylor, D. Wagner, referred to Business and Labor.
HB 498, introduced by B. Barnhart, S. Bartlett, P. Bergsagel, T. Hagener, R. Jabs, T. Keating, B. Keenan, K. Miller, L. Nelson, B. Pavlovich, B. Simon, S. Stang, M. Waterman, referred to Human Services.
HB 499, introduced by H. Harper, A. Ellis, referred to Agriculture.
HB 500, introduced by B. Barnhart, referred to Appropriations.
HB 501, introduced by K. Ohs, B. Barnhart, P. Bergsagel, B. DePratu, L. Grinde, D. Hargrove, J. Harp, B. Keenan, D. McGee, J. Mercer, D. Mood, B. Pavlovich, B. Simon, P. Sliter, E. Swanson, referred to Business and Labor.
HB 502, introduced by K. Ohs, L. Grinde, referred to State Administration.
HB 503, introduced by P. Sliter, referred to Agriculture.
HB 504, introduced by K. Ohs, C. Ahner, D. Grimes, J. Hertel, B. McCarthy, K. Miller, D. Mood, B. Pavlovich, R. Somerville, B. Tash, F. Thomas, J. Witt, referred to Business and Labor.
HB 505, introduced by D. Fuchs, C. Ahner, C. Christiaens, M. Noennig, referred to Natural Resources.
HB 506, introduced by P. Sliter, C. Ahner, S. Anderson, T. Beck, M. Brainard, R. Dale, L. Grinde, M. Halligan, B. Lawson, B. McCarthy, D. Mood, K. Ohs, B. Pavlovich, B. Raney, T. Schmidt, D. Shea, J. Stovall, C. Tuss, referred to Business and Labor.

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The following House joint resolution was introduced, read first time, and referred to committee:

HJR 18, introduced by T. Facey, J. Andersen, R. Buzzas, P. Clark, J. Cobb, T. Dell, B. Eggers, J. Ellingson, E. Franklin, S. Gallus, K. Galvin-Halcro, G. Golie, G. Gutsche, J. Hurdle, S. Kitzenberg, M. Lindeen, J. Mangan, R. Menahan, B. Ryan, J. Tester, C. Younkin, referred to State Administration.

The following Senate bill was introduced, read first time, and referred to committee:

SB 274, introduced by B. Wilson, J. Bohlinger, C. Christiaens, B. Crippen, E. Franklin, G. Golie, J. Harp, S. Kitzenberg, J. Lynch, J. Mangan, J. McKenney, K. Mesaros, J. Quilici, S. Rose, Thomas, D. Wyatt, referred to Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Schmidt in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 93 - Representative Soft moved **SB 93** be concurred in. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, P. Bergsagel, Brainard, R. Clark, Jore, Molnar, Orr, Wagner, Walters.

Total 9

Voted Absentee: Bitney, Juneau, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 371 - Representative Cobb moved **HB 371** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche,

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Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Bitney, Juneau, Ayes.

Excused: None.
Total 0

Absent or not voting: R. Clark.
Total 1

HB 361 - Representative Shockley moved **HB 361** do pass.

HB 361 - Representative Shockley moved consideration of **HB 361** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 392 - Representative Tash moved **HB 392** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Adams, E. Bergsagel, Jore, Orr.
Total 4

Voted Absentee: Bitney, Juneau, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 205 - Representative Tash moved **HB 205** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney,

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Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Bitney, Juneau, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 361 - Representative Shockley moved **HB 361** do pass.

HB 361 - Representative Shockley moved **HB 361**, second reading copy, be amended as follows :

1. Page 1, line 15.

Following: "paid"

Insert: "and attorney fees incurred"

Amendment passed as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Hibbard, Trexler, Vick.

Total 3

Excused: Bitney, Juneau.

Total 2

Absent or not voting: Ahner, Hedges.

Total 2

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Motion that **HB 361**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: E. Bergsagel, Lawson, Sliter, Tropila.

Total 4

Voted Absentee: Bitney, Juneau, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Schmidt moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Molnar, Sliter, Wyatt.

Total 3

Excused: Bitney, Juneau.

Total 2

Absent or not voting: Schmidt, Story.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the

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following manner:

HB 168 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Fisher, Fuchs, Gallus, Gillan, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Peck, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 67

Noes: Adams, Beck, Buzzas, P. Clark, Davies, Ewer, Facey, Galvin-Halcro, Golie, Gutsche, Hagener, Harper, Harrington, Hurdle, Jore, Juneau, Lindeen, Mangan, Matthews, McCulloch, Orr, Pavlovich, Raney, Ryan, Squires, Swanson, Trexler, Tuss, Williams, Wyatt.

Total 30

Voted Absentee: Bitney, Aye; Juneau, No.

Excused: None.

Total 0

Absent or not voting: S. Anderson, Cobb, Schmidt.

Total 3

SB 7 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Bitney, Juneau, Ayes.

Excused: None.

Total 0

Absent or not voting: Tuss.

Total 1

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SB 26 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: P. Bergsagel, Jore.

Total 2

Voted Absentee: Bitney, Juneau, Ayes.

Excused: None.

Total 0

Absent or not voting: Cobb, Tuss.

Total 2

MOTIONS

Representative Harper requested that the rules be suspended to allow "by the Request of the Secretary of State" to show on any 2nd reading copy printed of **HB 451**. There being no objections, so ordered.

Representative Grinde moved that **HB 454** be taken from the Committee on Transportation and be rereferred to the Committee on Human Services. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Friday, February 5, 1999. Motion carried.

House adjourned at 2:00 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

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Helena, Montana
February 5, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Walters. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-eighth legislative day, find the same to be correct.

Rehbein, Chairman

Speaker Mercer introduced the pages of the week:

Megan Dell, Billings
Mead Brant, Missoula
Melissa Ross, Laurel
Kevin Halverson, Pendroy
Jon Wagner, Hungry Horse
Christi Crowley, Helena
Marques Jones, Polson
Casey Halcro, Great Falls
Karly Billstein, Missoula

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/5/1999
Correctly printed: **HB 56, HB 118, HB 119, HB 142, HB 228, HB 236, HB 300, HB 310, HB 331, HB 405,**
SB 11, SB 136.

Correctly engrossed: **HB 205, HB 361, HB 371, HB 392, SB 93.**

JUDICIARY (Clark, Chairman): 2/5/1999
SB 8, be amended as follows:

1. Page 2, line 2.

Following: "."

Insert: "The use of a pen register or trap and trace device that has the ability to record conversations is prohibited."

And, as amended, be concurred in. Report adopted.

SB 32, be amended as follows:

1. Title, line 9.

Following: "SEARCH;"

Insert: "PROVIDING A PENALTY FOR SEXUAL INTERCOURSE WITHOUT CONSENT COMMITTED
UNDER THOSE CIRCUMSTANCES;"

Strike: the second "AND"

Insert: ", "

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Following: "45-5-502,"
Insert: "AND 45-5-503,"

2. Page 2, line 15.

Insert: "Section 3. Section 45-5-503, MCA, is amended to read:

"45-5-503. Sexual intercourse without consent. (1) A person who knowingly has sexual intercourse without consent with another person commits the offense of sexual intercourse without consent. A person may not be convicted under this section based on the age of the person's spouse, as provided in 45-5-501(1)(b)(iii).

(2) A person convicted of sexual intercourse without consent shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than 2 years or more than 100 years and may be fined not more than \$50,000, except as provided in 46-18-219 and 46-18-222.

(3) (a) If the victim is less than 16 years old and the offender is 3 or more years older than the victim or if the offender inflicts bodily injury upon anyone in the course of committing sexual intercourse without consent, the offender shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than 4 years or more than 100 years and may be fined not more than \$50,000, except as provided in 46-18-219 and 46-18-222.

(b) If two or more persons are convicted of sexual intercourse without consent with the same victim in an incident in which each offender was present at the location where another offender's offense occurred during a time period in which each offender could have reasonably known of the other's offense, each offender shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than 5 years or more than 100 years and may be fined not more than \$50,000, except as provided in 46-18-219 and 46-18-222.

(c) If the offender was previously convicted of an offense under this section or of an offense under the laws of another state or of the United States that if committed in this state would be an offense under this section and if the offender inflicted serious bodily injury upon a person in the course of committing each offense, the offender shall be:

- (i) punished by death as provided in 46-18-301 through 46-18-310; or
- (ii) punished as provided in 46-18-219.

(d) If the victim was incarcerated in an adult or juvenile correctional, detention, or treatment facility at the time of the offense and the offender had supervisory or disciplinary authority over the victim, the offender shall be punished by imprisonment in the state prison for a term of not more than 5 years or fined an amount not to exceed \$50,000, or both.

(4) In addition to any sentence imposed under subsection (2) or (3), after determining the financial resources and future ability of the offender to pay restitution as required by 46-18-242, the court shall require the offender, if able, to pay the victim's reasonable medical and counseling costs that result from the offense. The amount, method, and time of payment must be determined in the same manner as provided for in 46-18-244.

(5) As used in subsection (3), an act "in the course of committing sexual intercourse without consent" includes an attempt to commit the offense or flight after the attempt or commission."

And, as amended, be concurred in. Report adopted.

RULES (Grinde, Chairman):

2/4/1999

SB 11, be concurred in. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

2/4/1999

HB 56, do pass. Report adopted.

HB 118, introduced bill, be amended as follows:

1. Title, page 1, line 18.

Following: "19-20-412,"

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Insert: "19-20-413,"

2. Page 2, line 6.

Following: "with the"

Insert: "teachers' or"

3. Page 3, line 22 through line 25.

Strike: "Except as provided in" on line 22

Insert: "Unless included pursuant to"

Following: "include" on line 22

Strike: the remainder of line 22 through "employment" on line 25

Insert: "termination pay"

4. Page 3.

Following: line 28

Insert: "(e) Earned compensation does not include compensation paid to a member from a plan for the deferral of compensation under section 457(f) of the Internal Revenue Code."

5. Page 5, line 2 through line 5.

Following: "(20)" on line 2

Insert: "(a)"

Following: the first "of" on line 2

Strike: the remainder of line 2 through "death;" on line 3

Insert: "bona fide vacation leave, sick leave, severance pay, amounts provided under a window or early retirement incentive plan, or other"

Following: "employment" on line 3

Strike: the remainder of line 3 through "absence" on line 5

Insert: ". (b) Termination pay does not include:

(i) amounts that are not wages under section 3121 of the Internal Revenue Code, determined without regard to the wage base limitation; and

(ii) amounts that are payable to a member from a plan for the deferral of compensation under section 457(f) of the Internal Revenue Code"

6. Page 5, line 9 through line 10.

Strike: "signed" on line 9 through "member" on line 10

Insert: "properly executed"

7. Page 5, line 18.

Strike: "(h)"

Insert: "(d)"

8. Page 5, line 22.

Strike: "each"

Insert: "the"

9. Page 11, line 11.

Strike: "by"

Insert: "that"

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Following: "member"
Insert: "is purchasing"

10. Page 16, line 18.
Strike: "revert"
Insert: "convert"
Strike: "full"

1. Page 16, line 22.
Strike: "revert"
Insert: "convert"
Strike: "full"

12. Page 16, line 28.
Strike: "relying upon"
Insert: "receiving"

13. Page 16, line 30.
Strike: "convert"
Insert: "revert"

14. Page 18, line 14.
Strike: "(3)"
Insert: "(4)"

15. Page 19.
Following: line 11
Insert: "(3) Pursuant to subsection (2), contributions required under subsection (1)(a) or (1)(b) must be:
 (a) deducted from the portion of termination pay that:
 (i) constitutes wages for the purposes of section 3121 of the Internal Revenue Code, determined without regard to the wage base limitation; and
 (ii) can be included in the member's gross income for federal tax purposes; and
 (b) picked up by the employer."
Renumber: subsequent subsection

16. Page 24, line 1.
Following: "19-20-412,"
Insert: "19-20-413,"

17. Page 24, line 20 and line 24.
Following: "on" on line 20 and on line 24
Insert: "the later of July 1, 1999, or"

And, as amended, do pass. Report adopted.

HB 119, introduced bill, be amended as follows:

1. Page 5, line 18.
Following: "means"

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Insert: "a plan year, which is"

2. Page 10, line 24.

Following: " _ "

Insert: "The pickup may not apply to any contributions made before the effective date or to any contributions related to compensation earned for services rendered before the effective date."

3. Page 15, line 15.

Strike: "plan"

Insert: "calendar"

4. Page 15, line 16.

Strike: "July 1 and ending June 30"

Insert: "each January 1 and ending December 31"

5. Page 18, line 1.

Following: "employer"

Insert: ", except that a nonprofit mental corporation established pursuant to 53-21-204 may not be an employer with regard to employees hired after June 30, 1999"

6. Page 19.

Following: line 5

Insert: "(4) If an employee or official fails to file with the board an irrevocable written application within the time allowed in this section, the employee or official waives membership."

7. Page 37.

Following: line 20

"NEW SECTION. Section 46. Coordination instruction. If House Bill No. 79 and [this act] are both passed and approved, then:

(1) subsection (32) in [section 4] of [this act], amending the definition of "Retirement system" in 19-2-303, must read as follows: "(32) "Retirement system" or "system" means one of the public employee retirement systems enumerated in 19-2-302."

(2) [section 23], amending 19-2-1001, in House Bill No. 79 is void.

(3) [section 15] of [this act], amending 19-2-1006, must read as follows:

"Section 15. Section 19-2-1006, MCA, is amended to read:

"19-2-1006. Use of forfeitures. A retirement ~~system~~ plan subject to this chapter may not apply forfeitures of benefits resulting from the member's termination of employment, the death of the member, or any other reason to increase the benefits of any member in a manner not permitted in Internal Revenue Code section 401(a)(8). However, forfeitures may be used to reduce the costs of administration of a retirement plan subject to this chapter. "" "

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 228, introduced bill, be amended as follows:

1. Page 1, line 16.

Following: "~~election~~."

Insert: "The election may be held in conjunction with a regular or primary election."

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2. Page 1.

Following: line 22

Insert: "(4) If the first election of officers is not held in conjunction with a regular or primary election, the offices filled in the election may be occupied only until the next election regularly scheduled for those offices."

And, as amended, do pass. Report adopted.

TAXATION (Hibbard, Chairman):

2/4/1999

HB 405, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "PROPERTY;"

Insert: "DISTINGUISHING BETWEEN GOLF COURSES AND MINIATURE GOLF COURSES FOR PROPERTY TAX PURPOSES;"

2. Page 1, line 27.

Following: "yards"

Strike: "; and"

Insert: ". For the purposes of this subsection, enterprises generally recognized as miniature golf courses are not golf courses."

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 507, introduced by B. Lawson, referred to Business and Labor.

HB 508, introduced by D. Harrington, referred to State Administration.

HB 509, introduced by G. Gutsche, R. Buzzas, P. Clark, V. Cocchiarella, J. Ellingson, T. Facey, K. Galvin-Halcro, R. Johnson, S. Kitzenberg, B. Lawson, M. Lindeen, L. McCulloch, S. Rose, P. Sliter, F. Thomas, C. Younkin, referred to Education.

HB 510, introduced by P. Bergsagel, C. Ahner, J. Andersen, J. Barnett, S. Bookout-Reinicke, M. Brainard, E. Clark, R. Clark, J. Cobb, B. Crippen, A. Curtiss, B. DePratu, A. Ellis, S. Fisher, D. Fuchs, D. Grimes, L. Grinde, D. Haines, M. Hanson, D. Hargrove, V. Jackson, R. Johnson, B. Kasten, B. Keenan, J. McKenney, J. Mercer, K. Miller, B. Molnar, D. Mood, K. Ohs, C. Swysgood, L. Taylor, B. Thomas, F. Thomas, J. Wells, referred to Taxation.

HB 511, introduced by D. Ewer, referred to Taxation.

HB 512, introduced by L. Soft, S. Bartlett, D. Berry, A. Bishop, R. Buzzas, C. Christiaens, B. DePratu, D. Eck, E. Franklin, T. Hagener, D. Hargrove, C. Hibbard, B. Krenzler, L. McCulloch, referred to Business and Labor.

HB 513, introduced by J. Witt, E. Bergsagel, E. Clark, J. Ellingson, G. Golie, T. Hagener, D. Haines, D. Hedges, J. Holden, T. Keating, S. Kitzenberg, R. Lenhart, M. McCann, B. McCarthy, J. McKenney, L. Nelson, K. Ohs, R. Peck, S. Rose, G. Roush, B. Story, B. Tash, L. Taylor, J. Tester, J. Tropila, referred to Taxation.

HB 514, introduced by R. Somerville, G. Masolo, referred to Business and Labor.

HB 515, introduced by L. Grinde, C. Ahner, J. Barnett, T. Beck, E. Bergsagel, P. Bergsagel, A. Bishop, S. Bookout-Reinicke, M. Brainard, R. Brown, J. Cobb, M. Cole, B. Crippen, B. DePratu, G. Devlin, S. Fisher, D. Fuchs, D. Grimes, M. Hanson, D. Hargrove, J. Harp, D. Hedges, J. Hertel, D. McGee, J. Mercer, B. Molnar, D. Mood, K. Ohs, B. Raney, B. Simon, P. Sliter, R. Somerville, M. Sprague, C. Swysgood, B. Tash, M. Taylor, F. Thomas, J. Witt, referred to Business and Labor.

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HB 516, introduced by L. Grinde, J. Barnett, T. Beck, P. Bergsagel, A. Bishop, M. Brainard, R. Brown, J. Cobb, M. Cole, B. DePratu, G. Devlin, S. Fisher, D. Fuchs, D. Grimes, M. Hanson, D. Hargrove, J. Harp, D. Hedges, J. Hertel, D. Mood, P. Sliter, M. Sprague, C. Swysgood, B. Tash, M. Taylor, F. Thomas, J. Witt, referred to Business and Labor.

HB 517, introduced by L. Grinde, referred to Business and Labor.

HB 518, introduced by L. Grinde, referred to Business and Labor.

HB 519, introduced by L. Grinde, referred to Business and Labor.

HB 520, introduced by R. Erickson, A. Bishop, J. Bohlinger, C. Christiaens, D. Ewer, T. Facey, G. Gutsche, H. Harper, J. Hurdle, B. Raney, J. Tester, referred to Natural Resources.

HB 521, introduced by S. Vick, C. Ahner, E. Bergsagel, D. Berry, B. Davies, G. Devlin, A. Ellis, D. Grimes, L. Grinde, L. Grosfield, J. Harp, T. Keating, B. Keenan, J. McKenney, W. McNutt, J. Mercer, K. Mesaros, A. Mohl, D. Mood, K. Ohs, P. Sliter, L. Taylor, M. Taylor, F. Thomas, J. Wells, referred to Business and Labor.

HB 522, introduced by B. Pavlovich, S. Gallus, D. Harrington, B. McCarthy, R. Menahan, J. Quilici, J. Tropila, referred to Business and Labor.

HB 523, introduced by J. McKenney, D. Ewer, referred to Business and Labor.

HB 524, introduced by B. Eggers, J. Harp, H. Harper, R. Jabs, G. Jergeson, C. Juneau, A. Mohl, B. Raney, G. Roush, F. Thomas, referred to Appropriations.

HB 525, introduced by R. Menahan, referred to Transportation.

The following House resolution was introduced, read first time, and referred to committee:

HR 2, introduced by J. Hurdle, T. Beck, V. Cocchiarella, B. Crippen, G. Devlin, H. Harper, D. Hedges, C. Hibbard, B. Raney, E. Swanson, J. Tester, D. Toews, referred to Agriculture.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Bitney in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 296 - Representative Shockley moved **HB 296** do pass. Motion carried as follows:

Ayes: J. Andersen, Barnett, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 81

Noes: Adams, Ahner, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, Fuchs, Jore, Krenzler, Lawson, McCann, Molnar, Rehbein, Smith, Story, Taylor, Tropila.

Total 17

Excused: None.

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Total 0

Absent or not voting: Barnhart, Mr. Speaker.

Total 2

HJR 2 - Representative Story moved **HJR 2** be adopted. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Dale, Dell, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 75

Noes: Adams, Barnhart, E. Bergsagel, P. Bergsagel, Buzzas, P. Clark, Cobb, Curtiss, Davies, Eggers, Ewer, Harper, Jore, Mangan, McCann, Molnar, Orr, Raney, Rehbein, Schmidt, Tuss, Vick, Wagner, Wyatt.

Total 24

Excused: None.

Total 0

Absent or not voting: Bitney.

Total 1

HB 135 - Representative Stovall moved **HB 135** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, E. Bergsagel, P. Bergsagel, Jore, Kasten, Rehbein, Wagner.

Total 7

Excused: None.

Total 0

Absent or not voting: P. Clark, Walters.

Total 2

HB 89 - Representative Guggenheim moved **HB 89** do pass. Motion carried as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Kasten.

Total 1

Excused: None.

Total 0

Absent or not voting: Bookout-Reinicke, Soft.

Total 2

HB 92 - Representative Somerville moved **HB 92** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 82

Noes: Adams, P. Bergsagel, Bitney, Brainard, Brown, R. Clark, Curtiss, Davies, Jackson, Jore, Kasten, McGee, Orr, Rehbein, Vick, Wagner, Walters, Wyatt.

Total 18

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 103 - Representative Peck moved **HB 103** do pass. Motion carried as follows:

Ayes: Ahner, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook.

Total 66

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Noes: Adams, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, Brown, R. Clark, Curtiss, Dale, Davies, Hanson, Hedges, Jackson, Jore, Kasten, Masolo, McGee, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Sliter, Story, Taylor, Vick, Wagner, Walters.

Total 31

Excused: None.

Total 0

Absent or not voting: Fisher, Fuchs, Mr. Speaker.

Total 3

HB 346 - Representative Raney moved **HB 346** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Pavlovich, Peck, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Witt, Wyatt, Younkin, Zook.

Total 87

Noes: Adams, R. Clark, Dale, Davies, Fuchs, Jore, Mood, Orr, Smith, Walters.

Total 10

Excused: None.

Total 0

Absent or not voting: Harrington, Quilici, Mr. Speaker.

Total 3

HB 231 - Representative Witt moved **HB 231** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Jore, Orr, Rehbein, Story.

Total 4

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SB 17 - Representative Peck moved **SB 17** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: Jore.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 50 - Representative Zook moved **SB 50** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bitney moved the Committee of the Whole report be adopted. Report adopted

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as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Dale, Fuchs, Rehbein.

Total 3

Excused: None.

Total 0

Absent or not voting: Bitney, Bookout-Reinicke.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 132 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Erickson, Facey, Fisher, Gallus, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lenhart, Lindeen, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 72

Noes: Adams, Beck, P. Bergsagel, Brainard, Buzzas, P. Clark, R. Clark, Dell, Fuchs, Galvin-Halcro, Gillan, Golie, Jore, Krenzler, Lawson, Mangan, Matthews, McCulloch, Orr, Rehbein, Ryan, Tuss, Wagner, Williams, Wyatt.

Total 25

Excused: None.

Total 0

Absent or not voting: Barnhart, Ewer, Shockley.

Total 3

HB 204 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson,

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Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kitzenberg, Lenhart, Lindeen, Mangan, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 83

Noes: P. Bergsagel, Fuchs, Gillan, Golie, Guggenheim, Hagener, Hurdle, Kasten, Krenzler, Lawson, Masolo, Matthews, Molnar, Rose, Schmidt, Vick.

Total 16

Excused: None.

Total 0

Absent or not voting: Grinde.

Total 1

HB 205 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Barnhart.

Total 1

HB 301 passed as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Eggers, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Grinde, Hagener, Haines, Hanson, Harrington, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Mangan, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 73

Noes: J. Andersen, Barnhart, Buzzas, Cobb, Dell, Erickson, Ewer, Gillan, Golie, Guggenheim, Gutsche, Harper,

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Hedges, Hurdle, Juneau, Krenzler, Lindeen, Matthews, McCulloch, Noennig, Raney, Schmidt, Squires, Swanson, Tuss, Williams, Wyatt.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 371 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 392 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Adams, E. Bergsagel, Jore, Orr.

Total 4

Excused: None.

Total 0

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Absent or not voting: Fisher.
Total 1

SB 93 concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: Adams, P. Bergsagel, Brainard, Curtiss, Jore, Molnar, Orr, Wagner.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Grinde moved that **HB 92** and **HB 135** be rereferred to the Committee on Appropriations. Motion carried.

Representative Gillan requested on **HJR 2**, 2nd reading today, her vote be shown as yes. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 8:00 a.m., Saturday, February 6, 1999. Motion carried.

House adjourned at 3:10 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
THIRTIETH LEGISLATIVE DAY**

Helena, Montana
February 6, 1999

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by honorary page Tyler Stockton. Pledge of Allegiance to the Flag.

Roll Call. All members present except Ahner, Eggers, Holden, Johnson, Pavlovich, and Story. Quorum present.

Speaker Mercer introduced the honorary pages of the day:

Ben Peterson, Laurel
Tyler Stockton, Helena
Marissa Stockton, Helena
Kevin Love, Polson
Beth Janney, Butte

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-ninth legislative day, find the same to be correct.

Rehbein, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/6/1999
Correctly printed: **SB 8, SB 32.**
Correctly printed: **SB 10.** 1/20/1999
Correctly engrossed: **HB 89, HB 92, HB 103, HB 135, HB 231, HB 296, HB 346, HJR 2.**

AGRICULTURE (Barnett, Chairman): 2/5/1999
SB 18, be concurred in. Report adopted.

BUSINESS AND LABOR (Simon, Chairman): 2/5/1999
HB 396, introduced bill, be amended as follows:

1. Page 1, line 24.

Following: "a"

Insert: "movable, portable, or nonpermanent structure that features or employs a"

2. Page 1, line 26.

Following: "."

Insert: "This definition applies to amusement rides that are set up and operate in any location in Montana for not more than 30 days."

3. Page 2, line 10.

Strike: " ; "

Insert: ". For the purposes of this section, one adequately staffed first-aid station and a single location for reporting injuries and accidents on a site where multiple operators are grouped in a fair or carnival formation are sufficient."

4. Page 2, lines 12 and 13.

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Following: "drugs" on line 12

Strike: the remainder of line 12 through "diminished" on line 13

5. Page 2, line 25.

Following: "prohibitions"

Insert: " -- assumption of risk"

6. Page 2, line 26 through line 28.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

7. Page 3, line 19.

Insert: "(3) A passenger who is 15 years of age or older is conclusively assumed to have knowledge of the risks and assumes the risks associated with amusement rides if those risks are open and obvious to a reasonable person."

And, as amended, do pass. Report adopted.

HB 430, introduced bill, be amended as follows:

1. Page 1, line 18.

Strike: "Except for an initial treating physician, a"

Insert: "A "

2. Page 2.

Following: line 3

Insert: "(5) Posting of managed care requirements in the workplace on bulletin boards, in personnel policies, in company manuals, or by other general or broadcast means does not constitute individual written notice. To constitute written notice under this section, information regarding managed care requirements must be provided to the worker in written form by mail or in person after the date of injury. The notice must advise the worker of the worker's right to choose the initial treating physician under this section."

And, as amended, do pass. Report adopted.

HB 442, do pass. Report adopted.

HJR 15, be adopted. Report adopted.

SB 77, be concurred in. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

2/5/1999

HB 334, do pass. Report adopted.

HJR 12, introduced joint resolution, be amended as follows:

1. Page 1, line 23.

Strike: "Montana Tribal Chairman's Association"

Insert: "Montana-Wyoming Tribal Leaders Council"

And, as amended, be adopted. Report adopted.

MESSAGES FROM THE SENATE

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Senate bills passed and transmitted to the House for concurrence:

2/5/1999

SB 36, introduced by Keenan
SB 75, introduced by Halligan
SB 108, introduced by Berry
SB 203, introduced by Bartlett
SB 221, introduced by Doherty
SB 246, introduced by Mahlum
SB 288, introduced by Nelson
SB 291, introduced by Crismore

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 526, introduced by J. Mangan, T. Beck, J. Bohlinger, E. Clark, D. Harrington, S. Kitzenberg, J. Lynch, R. Menahan, B. Pavlovich, R. Peck, J. Quilici, S. Rose, referred to Business and Labor.
HB 527, introduced by H. Harper, S. Bartlett, C. Christiaens, T. Facey, D. Grimes, M. Halligan, D. Mahlum, D. McGee, B. Wilson, referred to Judiciary.
HB 528, introduced by C. Juneau, S. Doherty, D. Eck, B. Eggers, J. Ellingson, D. Ewer, E. Franklin, S. Gallus, K. Galvin-Halcro, K. Gillan, G. Gutsche, H. Harper, J. Hurdle, G. Jergeson, S. Kitzenberg, B. McCarthy, L. Nelson, G. Roush, D. Shea, F. Smith, E. Swanson, referred to Education.
HB 529, introduced by C. Juneau, S. Doherty, D. Eck, B. Eggers, J. Ellingson, D. Ewer, E. Franklin, S. Gallus, K. Galvin-Halcro, K. Gillan, G. Gutsche, H. Harper, J. Hurdle, G. Jergeson, S. Kitzenberg, B. McCarthy, G. Roush, D. Shea, F. Smith, referred to Business and Labor.
HB 530, introduced by D. McGee, D. Grimes, S. Orr, L. Soft, referred to Judiciary.
HB 531, introduced by K. Gillan, referred to Agriculture.
HB 532, introduced by S. Anderson, referred to Appropriations.
HB 533, introduced by S. Gallus, G. Beck, R. Clark, W. Crismore, B. Eggers, T. Facey, K. Galvin-Halcro, K. Gillan, G. Golie, J. Harp, H. Harper, D. Harrington, C. Hibbard, M. Lindeen, J. Mangan, L. McCulloch, R. Menahan, B. Pavlovich, J. Quilici, B. Raney, P. Sliter, R. Somerville, C. Williams, referred to Fish, Wildlife and Parks.
HB 534, introduced by S. Gallus, referred to Fish, Wildlife and Parks.
HB 535, introduced by B. Davies, D. Adams, C. Ahner, E. Bergsagel, P. Bergsagel, M. Brainard, E. Clark, J. Cobb, A. Curtiss, R. Dale, D. Fuchs, L. Grinde, D. Haines, V. Jackson, R. Jore, G. Masolo, B. Molnar, B. Rehbein, P. Sliter, J. Witt, referred to State Administration.
HB 536, introduced by B. Kasten, S. Anderson, S. Bartlett, T. Beck, E. Bergsagel, C. Christiaens, G. Devlin, D. Eck, D. Ewer, E. Franklin, D. Grimes, L. Grosfield, M. Guggenheim, J. Harp, H. Harper, D. Harrington, C. Hibbard, T. Keating, B. Keenan, S. Kitzenberg, D. Mahlum, B. McCarthy, D. McGee, R. Peck, J. Quilici, P. Sliter, L. Soft, S. Stang, E. Swanson, J. Tester, F. Thomas, M. Waterman, B. Wilson, referred to Appropriations.
HB 537, introduced by B. Kasten, S. Anderson, S. Bartlett, T. Beck, E. Bergsagel, C. Christiaens, G. Devlin, D. Eck, D. Ewer, E. Franklin, D. Grimes, L. Grosfield, M. Guggenheim, J. Harp, H. Harper, D. Harrington, C. Hibbard, T. Keating, B. Keenan, S. Kitzenberg, D. Mahlum, B. McCarthy, D. McGee, R. Peck, J. Quilici, P. Sliter, L. Soft, S. Stang, E. Swanson, J. Tester, F. Thomas, M. Waterman, B. Wilson, referred to Appropriations.
HB 538, introduced by B. Kasten, S. Anderson, S. Bartlett, T. Beck, E. Bergsagel, C. Christiaens, G. Devlin, D. Eck, D. Ewer, E. Franklin, D. Grimes, L. Grosfield, M. Guggenheim, J. Harp, H. Harper, D. Harrington, C. Hibbard, T. Keating, B. Keenan, S. Kitzenberg, D. Mahlum, B. McCarthy, D. McGee, R. Peck, J. Quilici, P. Sliter, L. Soft, S. Stang, E. Swanson, J. Tester, F. Thomas, M. Waterman, B. Wilson, referred to Appropriations.
HB 539, introduced by P. Sliter, R. Bitney, S. Fisher, V. Jackson, B. Lawson, R. Somerville, referred to Natural

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Resources.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 89 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnett, Bookout-Reinicke.

Total 2

HB 103 passed as follows:

Ayes: Ahner, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Mood, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 63

Noes: Adams, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fuchs, Grinde, Hanson, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Noennig, Orr, Rehbein, Rose, Shockley, Sliter, Story, Taylor, Trexler, Vick, Wagner, Walters, Witt.

Total 37

Voted Absentee: Ahner, Eggers, Holden, Pavlovich, Ayes; Johnson, Story, Noes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 231 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Jore, Orr, Rehbein, Story.
Total 4

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Ayes; Story, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 296 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 88

Noes: Adams, P. Bergsagel, Brainard, Fuchs, Jackson, Jore, Krenzler, Lawson, McCann, Molnar, Rehbein, Taylor.
Total 12

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 346 passed as follows:

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Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Adams, R. Clark, Curtiss, Davies, Fuchs, Jore, Orr, Walters.

Total 8

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 361 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Lawson, Sliter.

Total 2

Voted Absentee: Ahner, Holden, Johnson, Pavlovich, Story, Ayes.

Excused: Eggers.

Total 1

Absent or not voting: None.

Total 0

HJ 2 adopted as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Brainard, Brown, E. Clark, R. Clark, Dale, Dell, Erickson, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart,

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Lindeen, Masolo, Matthews, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 72

Noes: Adams, Barnhart, E. Bergsagel, P. Bergsagel, Buzzas, P. Clark, Cobb, Curtiss, Davies, Eggers, Ewer, Galvin-Halcro, Harper, Jore, Mangan, McCann, McGee, Molnar, Orr, Peck, Raney, Rehbein, Vick, Wagner, Wyatt.

Total 25

Voted Absentee: Ahner, Johnson, Pavlovich, Story, Ayes; Eggers, No.

Excused: Holden.

Total 1

Absent or not voting: Bookout-Reinicke, Mood.

Total 2

SB 17 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 50 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann,

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McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 98

Noes: McGee.
Total 1

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes.

Excused: None.
Total 0

Absent or not voting: Tuss.
Total 1

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Golie in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 55 - Representative Vick moved **SB 55** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Ahner, Holden, Pavlovich, Story, Ayes.

Excused: Eggers, Johnson.
Total 2

Absent or not voting: None.
Total 0

SB 4 - Representative Trexler moved **SB 4** be concurred in. Motion carried as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Jore, Rehbein.

Total 2

Voted Absentee: Ahner, Holden, Ayes.

Excused: Eggers, Johnson, Pavlovich, Story.

Total 4

Absent or not voting: None.

Total 0

SB 51 - Representative Trexler moved **SB 51** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 86

Noes: Barnhart, E. Bergsagel, P. Bergsagel, Cobb, McGee, Mood, Peck, Vick, Wagner, Zook.

Total 10

Voted Absentee: Ahner, Holden, Pavlovich, Ayes.

Excused: Eggers, Johnson, Story.

Total 3

Absent or not voting: Molnar.

Total 1

SB 62 - Representative Simon moved **SB 62** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg,

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Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: Jore.

Total 1

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes.

Excused: None.

Total 0

Absent or not voting: S. Anderson.

Total 1

SJR 2 - Representative Grinde moved that **SJR 2** be passed for the day. Motion carried.

HB 310 - Representative Grinde moved consideration of **HB 310** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 348 - Representative Facey moved **HB 348** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Brainard, Walters.

Total 2

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnhart, Cobb.

Total 2

HB 421 - Representative Younkin moved **HB 421** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Eggers, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro,

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Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 83

Noes: Adams, E. Bergsagel, P. Bergsagel, Davies, Fisher, Hagener, Jore, Kasten, McGee, Orr, Peck, Rehbein, Vick, Wagner.
Total 14

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes.

Excused: None.
Total 0

Absent or not voting: Cobb, Dell, Ewer.
Total 3

HB 344 - Representative Raney moved **HB 344** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Wyatt, Younkin.
Total 78

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, E. Clark, R. Clark, Curtiss, Fuchs, Jackson, Jore, Orr, Rehbein, Smith, Walters, Witt, Zook.
Total 17

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes.

Excused: None.
Total 0

Absent or not voting: Fisher, Grinde, Molnar, Sliter, Mr. Speaker.
Total 5

HB 267 - Representative Grinde moved consideration of **HB 267** be passed for the day. Motion carried.

SB 141 - Representative Lindeen moved **SB 141** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim,

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Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 300 - Representative Ohs moved **HB 300** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Jore, McGee, Orr, Wagner.

Total 4

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes.

Excused: None.

Total 0

Absent or not voting: Gallus, Somerville.

Total 2

HB 142 - Representative Anderson moved consideration of **HB 142** be placed at the bottom of the second reading board. Motion carried.

HB 331 - Representative Younkin moved **HB 331** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers,

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Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 93

Noes: Adams, Brainard, Jore, Orr, Rehbein, Wagner.

Total 6

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

Representative Curtiss excused at this time.

SB 30 - Representative Soft moved **SB 30** be concurred in.

SB 30 - Representative Mangan moved for cloture. Motion carried as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Dale, Davies, Dell, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, McCann, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 78

Noes: P. Bergsagel, Bitney, Brainard, R. Clark, Cobb, Grinde, Molnar, Sliter, Tropila, Tuss, Williams, Wyatt.

Total 12

Excused: Ahner, Eggers, Holden, Johnson, Pavlovich, Story.

Total 6

Absent or not voting: Curtiss, Ewer, Matthews, McCulloch.

Total 4

Motion that **SB 30** be concurred in carried as follows:

Ayes: Ahner, S. Anderson, Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Story, Stovall, Swanson,

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Tash, Tropila, Williams, Wyatt, Younkin, Zook.
Total 54

Noes: Adams, J. Andersen, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Jackson, Jore, Kasten, Masolo, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Somerville, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Mr. Speaker.
Total 45

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes; Curtiss, No.

Excused: None.
Total 0

Absent or not voting: Tuss.
Total 1

SB 76 - Representative Grinde moved consideration of **SB 76** be placed at the bottom of the second reading board. Motion carried.

HB 306 - Representative Anderson moved **HB 306** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Adams, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Curtiss, Jackson, Jore, Orr, Vick.
Total 10

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes; Curtiss, No.

Excused: None.
Total 0

Absent or not voting: Younkin.
Total 1

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Golie moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, P. Clark, R. Clark, Dale, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Grinde,

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Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Younkin, Zook, Mr. Speaker.

Total 77

Noes: E. Bergsagel, P. Bergsagel, Brown, E. Clark, Cobb, Davies, Jore, Molnar, Rehbein, Vick, Wagner, Witt.

Total 12

Excused: Ahner, Eggers, Holden, Johnson, Pavlovich, Story.

Total 6

Absent or not voting: Curtiss, Golie, Harrington, Swanson, Wyatt.

Total 5

Representative Grinde moved that the House stand at ease to await the Senate and the State of the Education Address. Motion carried.

SPECIAL ORDERS OF THE DAY

House reconvened at 10:00 a.m. Mr. Speaker in the chair.

Representative Grinde moved that following the joint session, the House recess and reconvene at 12:00 p.m. Motion carried.

Sergeant-at-Arms Meuli escorted the Senate into the House Chamber.

Speaker Mercer introduced President Crippen and yielded the Chair to him.

Senator Harp moved that the body resolve itself into a joint session for the purpose of receiving the State of Education Address from the Superintendent of Public Instruction and the Commissioner of Higher Education. Motion carried.

Senator Harp moved that President Crippen be authorized to appoint a committee of four to notify the Superintendent of Public Instruction and the Commissioner of Higher Education that the House was in joint session and ready to receive the State of Education Address. Motion carried.

President Crippen appointed Senators Shea and Toews and Representatives Harrington and Masolo and discharged them to escort the Superintendent of Public Instruction and the Commissioner of Higher Education into the House Chamber.

Sergeants-at-Arms Meuli and Cramer escorted the Superintendent of Public Instruction and the Commissioner of Higher Education into the House Chamber.

Pastor Keith Johnson of the Evangelical Covenant Church gave the Invocation.

Pledge of Allegiance to the Flag.

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After being presented by President Crippen, the Hawthorne Children's Choir from Bozeman performed two songs under the direction of Liza Smania.

After being introduced by President Crippen, Superintendent Nancy Keenan delivered the following address:

**State of Education Address to the Montana Legislature
February 6, 1999
Superintendent of Public Instruction Nancy Keenan**

"Mr. President, Mr. Speaker, distinguished members of the House and Senate, Commissioner Crofts, honored guests, my friends.

I'm glad to be back. My thanks for giving me the opportunity to report on the status of Montana's school children and our public schools.

I was tempted to spend a little time reminiscing, but I've been at this job for a while and I've learned that there is no point in looking back because the next century is just 328 days away.

If the pages are still in the chamber, I'd like you to stand up for a minute. Take a good look at these young folks and then take a look around at each other. The average age in this chamber is 54. Our life experiences and school experiences are so different than theirs are. Just to give us a little perspective of how young they really are, they were born in the early '80s. They have no meaningful recollection of the Reagan era and they were spared the horror of seeing him shot. They were ten or younger when the Soviet Union broke apart and do not remember the Cold War. They have never feared a nuclear war. They are too young to remember the space shuttle blowing up, and Tiananmen Square means nothing to them. Their lifetime has always included AIDS. They have never had a polio shot and likely do not know what it is. They have never owned a record player. They may have heard of an eight-track player but have never actually seen or heard one. The compact disc was invented before they were born. The Vietnam War is ancient history to them as are WWI and WWII. Popcorn has always been cooked in the microwave and they have never heard the terms "Where's the beef," "I'd walk a mile for a Camel," or "De plane, de plane!"

We're not feeling old are we? Our challenge, yours and mine, is to make sure these young people and their little brothers and sisters have the best education available to them as they step into this 21st century.

We have much to be proud of. Throughout the past decade, 94% of our students graduated from high school. Over 70% of Montana's high school graduates participated in the ACT or SAT exam. The results of both tests show Montana students consistently ranking among the top-scoring students in the nation. Our students consistently exceed the national average in reading, math, and science proficiency. In both the National Assessment of Education Progress (NAEP) and the Third International Mathematics and Science Study (TIMMS), Montana students have outperformed students in 40 of the 41 countries (all but Singapore) in science, and 35 of the 41 countries in math. We have hard working students, dedicated teachers, and families and communities that understand the only sure-fire way to assure economic growth and better quality of life for their kids is through education. Again this session, the Governor and I have forwarded a school improvement package that continues the work on raising the bar for academic standards and provides for professional development opportunities for our teachers. At the same time, we continue to be accountable to the people of Montana through thoughtful assessment and an education profile that provides the public with the means of measuring the quality and achievements of our schools.

I know that there are many of you in this chamber who see dollar signs every time you look at me. Well, I feel

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very strongly about the importance of public education and have always viewed my job as being the chief advocate for children and making sure there is enough money to get the job done.

There are some absolute truths about education funding that are borne out by the facts and plain common sense. Montanans want quality education. I know you have heard from many of them. They are your neighbors, colleagues, constituents, and friends. They sit on your school boards, have children and grandchildren attending your local schools, and they are your teachers. Listen carefully to them.

Some things in life we know to be absolutely true. The earth rotates around the sun, water runs down hill, and our public school enrollments are declining. When enrollments decline, the general fund budget of the district also declines. 95 of our school districts have already hit their caps and have had to cut budgets, eliminate programs, consolidate services, terminate staff, and in some cases, close schools. In addition, 71 districts are within 5% of the caps. Without a doubt, our public school system has reached critical mass in terms of the number of school districts that are under duress at the current level of funding. Our elementary districts as a group are pushing up against the budget caps in greater numbers than our high schools.

There seems to be confusion around the fact that if there are fewer students, then schools should need less money. An absolute truth is that costs do not drop in direct proportion to enrollment decline. In other words, the teachers still need to be paid, the building still needs to be heated, the lights must still be turned on, and the buses must continue to run. If all students that are leaving would do so from one grade or just one school, it would make it a lot simpler. Students that leave are across the school system, making it very difficult to reduce those fixed costs. In our larger districts where schools have been closed, they are experiencing overcrowded classrooms. In our smaller districts, school closure is not an option, so entire programs, services, and staff have been eliminated.

It is an absolute truth that the state share of funding for schools has declined steadily over the past eight years from 71% in FY91 to 62% in FY99. In 1991 the state share of the per pupil expenditure was \$2,626 and now in 1999, the amount is \$2,637, an increase of only \$11. When the state share declines, district taxpayers pick up the tab for funding public schools through their property tax increases. These tax increases require voter approval and about 90% of school levies have passed, demonstrating the desire and willingness of Montanans to preserve the quality of their schools. Adequately funding schools at the state level translates into reducing local property taxes. It is that simple.

Let me touch briefly on the need to also increase the special education appropriation this session. The state appropriation for special education has not increased since 1989. How are districts making up the shortfall? They are allocating resources from their general fund to meet the growing needs of our students with special needs. Some would like to believe that schools serve special education students because of federal mandates. We serve special education students because they are our precious children who deserve our commitment, compassion, and our vigilance in providing them a quality education.

The truth is not complicated. I am here with the same truthful message. Your schools desperately need \$36 million in their base budgets and they need \$5 million for their special education programs. It is not an outrageous request. Yesterday you adopted a revenue estimate of some \$120 million. Even if the tobacco settlement money and the Montana Power Company settlement dollars do not materialize, there is \$70 million available.

I would respectfully request that you do not use the school funding bill as a pawn in your deliberations around tax policy. The children in your classrooms don't sit on any particular side of the aisle. They sit in your rural and urban schools; there are some whose families are wealthy and others that are poor; they come from diverse

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family backgrounds and occupations; they are all gifted in their own unique way; and they are all our children.

As we close the chapter on this century, let us set our priorities with the children in mind. Over the years, people have had the opportunity to impact or even change the course of history. I want the history book to report that the need was great, the debate was civil, and that each of you, without hesitation, stepped forward on behalf of Montana's school children."

Superintendent Keenan introduced the 1999 Teacher of the Year, advanced biology teacher at Helena High School, Terry Beaver, who addressed the joint session:

"Wow! Neat classroom: --somebody takes roll, -- somebody to get everybody seated, -- guards. How many of you brought money for hot lunch? As the senate came in, it reminded me of combining classes in grade school so we could all see a film - marching in - carrying our own chairs - brings back old memories.

As I look at this assembly, I see some classmates from grade school and high school. I see some I taught - some with whom I taught - and some very close friends.

I am a teacher, so I expect you to listen - take notes - and be ready for a test on Monday. I notice we may have to create a new seating chart -- it appears there are a couple of cliques that might learn better if we separate them.

I ran into Representative Dick Haines after a hearing a couple of weeks ago - we reminisced about growing up in Helena. We played hide-and-go-seek in the Capitol in the early 50's. It was a great place to play - thousands of places to hide. The big challenge was to keep from being caught by security. At that time, I think the only security were the janitors.

As Superintendent Keenan said, I am Terry Beaver, Montana's Teacher of the Year for 1999. I teach advanced biology at Helena High School and have done so for the past 33 years. I coach track and coached basketball for 25 years. I have taught about 4,000 students. I also hold a second job, as you do, and many other Montanans. I have worked for the Forest Service for 39 summers. This opportunity to represent teachers, children, and education in Montana is a great honor.

Children are our future. Literally. I want you to know that Montana's public schools and teachers are producing a highly sought-after product. Strong basic skills, a desire to succeed, and a strong work-ethic - those are the characteristics our children and grandchildren express as the future of Montana.

As we end this millennium and this century, the greatest impact we can have is to keep Montana's kids close to our hearts as we make decisions. We must make a concerted effort to ensure our children will have the opportunities they need to prosper in a world yet unimaginable to us.

You could leave a legacy from the 20th Century. You could be recognized as the legislature responsible for ensuring the success of Montana's future.

Governor Marc Racicot, in his State of the State Address last month, emphasized that we are struggling through an economic slump. He said we will work together diligently to remediate that. "Together" means you and I and every other Montanan. Governor Racicot often refers to the philosophy ascribed to by his father. I was honored to know Bill Racicot quite well. I began my coaching career as Bill was concluding his. I am sure Coach Racicot would have expressed a solution to our present dilemma. There is an old coaching adage that says "If you ever get to the Ball - dance with the one who brung ya!"

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We, in Montana are now at the Ball. The one who brung ya, is your education. Our education created endless opportunities for each of us. Our education is a primary reason for our success.

I want you to think for just a minute about the teacher who made the biggest impact on your life. For me, it was a high school teacher, Amsel Green. I used to cut up in her class a little, and one day she said, "Terry, do YOU want to teach this class?" I hung my head and said, "No." But that was the day I began to think about teaching as a career. Mrs. Green later challenged me to go to college - before that, it never crossed my mind. Her influence made all the difference in my life.

Who was that teacher for you? Think about that person for a moment. Think about the knowledge and skills you gained from all your teachers. Now, think about some other people who contributed to your education - most of whom you never even knew. People in your town, your country, across the state, who pitched in to make your education possible - because this state and this nation believe in education. That's what created our public school system. Previous generations made our education possible. Now it's our turn.

Public education offers Montana the most viable opportunity for success in the 21st Century. Public education needs your support. Your decisions this session will affect 161,000 students in our public schools. They depend on you. You are the voice of nearly 20% of our population who are too young to vote or voice their needs and aspirations to become Montana's future.

Public education is even more important to our children today than it was in the past. Good-paying jobs require much more education today than they did just 25 years ago. Public education cannot be under-funded and still provide viable opportunities for our children and grandchildren. Please keep Montana's kids close to your heart as you make your decisions on school funding. House Bill 133 is a small step in the right direction -- but it's an important step.

Montana students consistently rank among the top in the nation in standardized test scores. One example: According to the National Center for Education Statistics, Montana's 8th grade science scores are 2nd highest in the world. In the world! As a science teacher, that makes me pretty proud.

Student excellence is directly equated with teacher excellence. Montana's teachers devote enormous energy, time, and effort to develop students who succeed in national and international endeavors. These teachers have proven their commitment to Montana and have earned the support of Montana's people. With the establishment of a GABA (guaranteed annual benefit adjustment) in their teachers retirement plan, Montana's teachers' would receive a minimal adjustment in their now fixed retirement benefit. Those who have retired - the devoted teachers who taught us -- are struggling to exist on \$970 average monthly check from their teacher's retirement system. House Bill 72 provides a small improvement, a greatly needed improvement.

A couple of weeks ago I went to Dallas, Texas for a gathering of Teachers of the Year from each state and territory in America. I found a group of fantastic people - all devoted to providing the best possible education for kids across the nation. The biggest impact on me was recognizing that I teach with teachers of world-class ability and dedication every day in my own building, in our communities, and throughout Montana. The most important integral in the education of a child's education stands between the students and the blackboard every day.

One topic we discussed in Dallas was the impending national teacher shortage. America will need 2.2 million new teachers in the next eight years. This doesn't impact us greatly in Montana yet, but it will. We are producing excellent teachers in Montana, but we're losing them to areas of the country willing to pay well for their services. We are recruiting top-quality students into the teaching profession. We used to see them go to

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engineering, architecture, law, and medicine, but now they are looking for a different kind of satisfaction in life. Unfortunately, right now, going out of state to teach provides high satisfaction and better pay for their services. As the drain continues, Montana will feel the significance of the teacher shortage.

Even as we produce good teachers, we find it difficult to retain them in the teaching profession. They want to teach but find it an extremely demanding job. They can make much more money doing something easier, and are doing so.

15% leave after the 1st year.

25% leave after the 3rd year.

50% are out of teaching at the 5th year.

As you can tell, I am proud of Montana's public schools, my teacher colleagues, and our terrific students. I am proud of the partnership and support we have from parents and communities. Our communities recognize the excellence in their public schools - they are willing to support them, but state legislation limits how much financial support they can provide.

If Montana is to maintain excellence in education, we need continuing commitment on the part of the state. Montana's excellent public schools are the state's top economic asset. If we are going to maintain the excellence Montanans expect and deserve, we must invest in this asset.

Ladies and gentlemen, they are playing our song. Let's dance with the one who brought us! Thank you.

President Crippen introduced Commissioner of Higher Education Dr. Richard Crofts who gave the following address:

It is a pleasure and honor for me to have the opportunity to address you this morning on one of my favorite topics - public higher education in the State of Montana. It has been my privilege to serve in the Montana University System for nearly five years, and I have great pride in what we have accomplished and the quality of our programs.

I hope to convince you this morning to share that pride by talking about what we have heard in recent years from the Legislature and the public, and what we have done about it. We have taken seriously the messages we have received and been responsive to those expectations.

We were told that we must control costs and be more efficient. Since 1985 we have kept the increases in the cost of educating students below the increases in the consumer price index. Our per student expenditures are 25% below the average of our peer institutions in neighboring states. In 1998 we spent \$6700 per student - North Dakota State spent \$7000, Utah State spent \$7800, New Mexico State spent \$9300, the University of Idaho spent \$9500, and the University of Wyoming spent \$11,500.

We were told that it was taking too long for students to graduate. We have streamlined our programs, reducing duplication in the curriculum in order to reduce the number of hours required for degrees. We have guaranteed access to classes so that students are able to graduate in four years and, if they can't get the classes they need to graduate in four years, we pay the additional tuition. In three years we have increased by 29% the number of students earning credit by exam and increased by 22% the number of credit hours earned by exam. As a result of these steps, in the last two years the State of Montana has saved \$1.7 million in general fund, and Montana's resident students have saved almost \$700,000 in tuition costs. That's what you said - that's what we did.

We were told that we could not expect all of the needs of the university system to be met by dollars from the

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State of Montana. Last year our research enterprise brought in over \$80 million from the federal government and private sources so that our students could have more faculty, our laboratories could have more equipment, and our students could be earning money on research projects applying their classroom learning, instead of earning minimum wage in the service economy. The last two years have also seen record-setting levels of gifts to the foundations of the campuses of the university system. That's what you said - - that's what we did.

We were told that more students should be enrolled in two-year programs. We have expanded course and program opportunities at the colleges of technology, and in the last four years enrollments in two-year programs have increased by over 25%. We have added new associate degree transfer programs in Helena and Great Falls, and we have added a new bachelor of applied science degree program for graduates of the colleges of technology who wish to return for a four-year degree without starting all over. That's what you said - - that's what we did.

We were told that faculty members at Missoula and Bozeman were not teaching enough. In the last four years, teaching loads at Missoula and Bozeman have increased by 20%, largely in undergraduate education.

We were told that we had too much duplication of programs. Our first round of program review resulted in the elimination of 100 programs and options and the second round review is now in process. That's what you said - - that's what we did.

We were told that we had units unfairly competing with the private sector. We appointed a task force dominated by representatives of the private sector, and the Regents approved the policy drafted by the task force which outlines the limits placed on campus units engaged in activities which might compete with the private sector and which includes a fast-track appeal process for those who believe they have been a victim of unfair competition.

We were told that we had to bring to public light more information about our relationships with the campus foundations. The Regents adopted a new policy on foundations which for the first time publicly outlines the nature of the relationships among the Board of Regents, the campuses, and the foundations. Agreements between the campuses and their affiliated foundations will for the first time be contained in contracts publicly reviewed and approved by the Regents. That's what you said - - that's what we did.

We were told that students encounter too many problems transferring courses. We have published a course-by-course transfer agreement among every public institution in the state. We have agreed that campuses within the Montana University System will accept the general education program from every other campus in the system. We have published articulation agreements so that students attending two-year institutions know exactly what courses they should take to transfer to their intended four-year major. We require each campus to have a well-published appeal process so that students know they have a place to present their complaints. Our dealing with the so-called transfer problem is a model for other states, and complaints from students have dramatically decreased, though we still have the occasional student who wants full transfer of diesel mechanics courses into his nursing program. That's what you said - - that's what we did.

We were told that tuition was increasing too fast. The Board of Regents has given tentative approval to cutting tuition increases in the next biennium to about half of what they have been in recent years if the Legislature will fund the executive budget for the university system.

We were told that we should make more effective use of technology to deliver courses to students who don't live in campus communities. Last year we used interactive television and the Internet to deliver 211 courses across the state of Montana. On the average, those courses enrolled over 21 students and comprised the equivalent of about 450 full-time students. That equals a student body almost half the size of Western Montana College. Those students did not have to waste precious time and money driving to one of our campuses to take a course.

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Students studying in the nursing program in Billings no longer have to move to Bozeman for one semester of courses. A highly successful MBA program offered by the University of Montana in Billings will shortly be available at sites throughout Montana. That's what you said - - that's what we did.

It is, of course, not enough to brag about the past. What is our vision for the future?

We will balance quality, access, cost, and accountability in a unified higher education system focused on educational outcomes and committed to preparing Montana citizens for the future. We will aggressively pursue the use of technology to provide high-quality educational experiences to students, broaden access to programs, promote lifelong learning, and more efficiently manage resources. We will develop an educated citizenry prepared to meet the challenges of the 21st century and lead productive lives. We will focus on learning over teaching, delivering programs when and where students need them, and at a price students and Montana's taxpayers can afford. We will operate with a consumer orientation, driven by market considerations and promoting entrepreneurial behavior in a diverse campus environment.

It would surprise you and disappoint my colleagues if I bragged about the past and shared a vision for the future without talking about what we need from you to accomplish that vision. I will briefly mention only two things. First, retain the flexibility in the current system to allow the Board of Regents to manage the resources you provide us. Second, help us stem the tide which has transferred to students a greater share of the cost of a university education through tuition increases. There is one simple measure of the State's investment in its higher education students, as there is for its K-12 students. For the university system, the measure is dollars of state support for each full-time equivalent student. In 1992 that figure stood at \$4,487 per year. In 1999, that number is \$4,124. With the funding projected in the executive budget, that figure would increase to \$4,363 -- and we would still be \$124 per student per year below where we were in 1992. The Regents have offered to cut tuition increases to half of their recent rate, if the State will increase its investment in our students.

I have heard it said that the State cannot afford this kind of investment in the university system because of the need to cut taxes. I would only point out that the citizens of Montana had an opportunity this last November to cut their taxes without requiring the vote of any member of the Legislature. But by an almost two-to-one vote they renewed the six-mill levy for the university system, refusing to lower their taxes at the expense of the budget of their universities.

In sum, higher education in Montana has an enviable record. Students are attending and graduating in record numbers. By every standardized measure of achievement we can be proud of their accomplishments. More of them are finding employment opportunities to achieve their goal of remaining in Montana. The quality of education we provide makes the Montana University System one of higher education's great bargains. We hope you will join with us in investing in an even brighter future.

Dr. Crofts introduced Dr. Gregory Francis from the Department of Physics at MSU in Bozeman who addressed the joint session:

The fun thing about being a physics professor is that you get to play with all the neatest toys. I am not your typical physics professor. I am a geek - I'm not denying that - I am just a different kind of geek. I hold a special appointment as a professional practice professor at MSU, which means that I spend much more time with our undergraduate students in the classroom and less time working with graduate students in the laboratory. There are two of us in the Physics Department. Jeff Adams also holds a professional practice appointment, and between the two of us we typically teach ten classes and over 1200 students each year. Like other professors, we also have an obligation to engage in scholarly creative activities (research). But we have a special stewardship and an opportunity to focus our creative activities directly on our teaching. We study the science of

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teaching science. We interview students, we give pre-tests and post-tests, looking for stumbling blocks that are keeping our students from clear understanding, and developing activities that allow students to successfully confront and resolve those difficulties.

You have all been in the classroom where the teacher writes everything on the blackboard, you copy it frantically into your notes, and memorize it for the exam. Three weeks later do you remember any of it and are you any better off? None of my colleagues aspire to this kind of teaching, but faced with 200 students in a classroom, figuring out how to do any better is one of the most daunting problems we face as academics. Contributing a solution to this problem is what Jeff and I have devoted our careers to.

If you were a student in our course you would come into class on the first day and, instead of finding out about us, you would introduce yourself to your neighbor, because you would be doing a lot of in-class activities with your neighbor during each lecture. Rather than copying notes down from the board, you would find yourself thinking deeply with your neighbor about a few challenging problems...and not just problems that we happen to like, but special problems that physics education research has shown to be particularly helpful in guiding students to new understanding. You also would not fall asleep in our class! We have discovered a secret to keeping students focused on the lecture. The closer the professor comes to death, the more likely the students are to pay attention. That is why I lay on a bed of nails and allow Jeff to crush a cinder block on my chest with a large sledgehammer. Almost everyone has seen a flower shattered after it's been frozen in liquid nitrogen. That no longer excites our students. They are the Nintendo generation and they've seen everything ...well, perhaps not everything. No one sleeps in class when we do this demo (liquid nitrogen demonstration).

In the lecture portion of our class we can introduce you to the key concepts, we can motivate you to study, we might even be able to help you see more of the big picture, but your real learning would take place in the two hours each week that you spend in the interactive tutorial. Here you would work in teams of four students on activities designed through 25 years of research to first confront and then resolve fundamental misconceptions that otherwise block further learning. If you are typical of 85% of our students, you would report that this tutorial experience was critical to your success.

Of course, nothing comes for free. However, compared to some nationally recognized efforts that rely on small classes and expensive equipment, our costs are quite modest. What makes our interactive tutorials work is the dozen or so top students from the previous year who we hire back as peer instructors to maintain a 7:1 student/staff ratio. These staff members are carefully trained to help you overcome your conceptual difficulties, not by telling you the answers, but by asking you just the right questions.

How do we know this works? For the last six years we have been using the most widely accepted exam in the physics education community for measuring gains in conceptual understanding. This exam has been given on the first and last day in hundreds of classes around the world. One of the things revealed by this exam is that most traditional instruction (chalk-and-talk at the blackboard) results in very low gains - the students learn how to use the formulas but they don't understand the ideas behind the formulas. It has also been shown that high gains can be achieved on this exam if you are willing to pay for small classes with lots of one-on-one contact with the professor. At Montana State University, teaching 200 students at a time, we have consistently achieved among the highest gains in the nation. Moreover, we recently invited our students to return three and a half years after finishing the course to again take this exam. The results: there was virtually no reduction in their score from the last day of class.

Ladies and gentlemen: One of the stewardships you hold is to protect the natural resources of Montana. Let me speak briefly of the greatest resource we have -- our children. Before coming to MSU I taught undergraduates at MIT and the University of Washington in Seattle. Frankly, the students at MIT and UW are more advanced.

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But I have never taught better people than here in Montana. The students at MSU are hard working and honest, people of integrity. During my first semester at MSU, I was handing back an exam at the beginning of class. My staff and I had been up most of the night grading the exam, and the scores were added at 4:00 in the morning. Mistakes were made. Two students complained that their scores were added wrong and they should receive more points. I made the corrections. A third student, a woman by the name of Elizabeth Lyons, approached me and said that we had given her ten points too many. I was stunned! This had never happened at MIT. I told her it was my mistake so she could keep the points, and she returned to her seat. At the end of the lecture she again approached me with tears in her eyes and said, "I didn't earn the points...I can't keep them." At that moment I fell in love with Montana and I fell in love with the parents of Elizabeth Lyons. These are the kind of people I want as neighbors. I have college age children of my own. I hope that I have done as good a job as the parents of Elizabeth Lyons...and the parents of David McKay, and the parents of Todd Rambur, and many others. For you see, this same story has played itself out several times each semester for the past seven years.

These students of Montana deserve the best we can afford to give them. May God bless you to do the right thing for these, our children.

The committee escorted the Superintendent of Public Instruction, the Commissioner of Higher Education, Mr. Beaver, Dr. Francis and other dignitaries from the House Chamber.

Senator Harp moved that the joint session of the 56th legislature be adjourned. Motion carried.

House recessed at 11:20 a.m.

House reconvened at 12:00 p.m.

Roll call. All members present except Representatives Ahner, Curtiss, Eggers, Gillan, Holden, Johnson, Krenzler, Pavlovich, Story, and Wagner. Quorum present.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Golie in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 391 - Representative Hedges moved **HB 391** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.

Total 97

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Noes: Gutsche, Hurdle.
Total 2

Voted Absentee: Ahner, Curtiss, Eggers, Holden, Johnson, Pavlovich, Story, Wagner, Ayes.

Excused: None.
Total 0

Absent or not voting: Younkin.
Total 1

SB 34 - Representative Peck moved **SB 34** be concurred in. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 93

Noes: Adams, Brainard, R. Clark, Curtiss, Rehbein.
Total 5

Voted Absentee: Ahner, Eggers, Holden, Johnson, Pavlovich, Story, Ayes; Curtiss, No.

Excused: Wagner.
Total 1

Absent or not voting: Cobb.
Total 1

SB 6 - Representative Grinde moved consideration of **SB 6** be placed at the bottom of the second reading board. Motion carried.

SB 20 - Representative Facey moved **SB 20** be concurred in.

SB 20 - Representative Menahan moved **SB 20**, second reading copy, be amended as follows :

1. Page 2

Following: "~~MEMBERS~~." on line 19

Insert: "Any decision may be rendered by a board member and a board designated hearings officer or by two or more board members."

Amendment failed as follows:

Ayes: Barnhart, Beck, P. Clark, Dell, Erickson, Facey, Gallus, Golie, Grinde, Guggenheim, Hagener, Harper,

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Harrington, Juneau, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Peck, Quilici, Raney, Ryan, Smith, Squires, Swanson, Tropila, Williams.
Total 30

Noes: Adams, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Dale, Davies, Ewer, Fisher, Fuchs, Galvin-Halcro, Gillan, Gutsche, Haines, Hanson, Hedges, Hibbard, Hurdle, Jackson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McGee, McKenney, Mood, Noennig, Orr, Rehbein, Rose, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Trexler, Tuss, Vick, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 58

Excused: Ahner, Curtiss, Eggers, Holden, Johnson, Pavlovich, Story, Wagner.
Total 8

Absent or not voting: Bitney, Krenzler, Molnar, Ohs.
Total 4

Motion that **SB 20** be concurred in carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Mood, Noennig, Pavlovich, Peck, Raney, Rehbein, Rose, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 78

Noes: Adams, P. Bergsagel, Brainard, Buzzas, Davies, Fisher, Fuchs, Gallus, Grinde, Jore, McCulloch, Menahan, Orr, Quilici, Ryan, Sliter, Squires, Vick.
Total 18

Voted Absentee: Ahner, Curtiss, Eggers, Gillan, Holden, Johnson, Krenzler, Pavlovich, Story, Ayes.

Excused: Wagner.
Total 1

Absent or not voting: Bitney, Molnar, Ohs.
Total 3

SB 28 - Representative Jackson moved **SB 28** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story,

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Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Ahner, Curtiss, Eggers, Gillan, Holden, Johnson, Krenzler, Pavlovich, Story, Ayes.

Excused: Wagner.

Total 1

Absent or not voting: None.

Total 0

SB 106 - Representative Holden moved **SB 106** be concurred in. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, P. Bergsagel, Brainard, Curtiss, Fuchs, Jore, Orr.

Total 7

Voted Absentee: Ahner, Eggers, Gillan, Holden, Johnson, Krenzler, Pavlovich, Story, Ayes; Curtiss, No.

Excused: Wagner.

Total 1

Absent or not voting: Gallus, Molnar.

Total 2

HB 310 - Representative Molnar moved **HB 310** do pass.

HB 310 - Representative Molnar moved **HB 310**, second reading copy, be amended as follows :

1. Page 2, line 10.

Following: "PRESENT SCHOOL,"

Insert: "OR"

2. Page 2, line 15.

Following: "ATTENDS"

Insert: ", "

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Following: "OR"

Insert: "THE SCHOOL DISTRICT THAT THE YOUTH"

Following: "ATTEND"

Insert: ", "

Amendment passed as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brown, Buzzas, E. Clark, R. Clark, Dale, Davies, Dell, Facey, Fisher, Fuchs, Gallus, Golie, Grinde, Gutsche, Hager, Haines, Hanson, Hedges, Hibbard, Jackson, Kasten, Lawson, Lenhart, Lindeen, Masolo, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Peck, Quilici, Raney, Rehbein, Rose, Shockley, Simon, Soft, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Vick, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 64

Noes: P. Clark, Ewer, Galvin-Halcro, Harper, Harrington, Hurdle, Juneau, Mangan, Matthews, Orr, Ryan, Smith, Tropila, Tuss, Wyatt.

Total 15

Excused: Ahner, Curtiss, Eggers, Holden, Johnson, Pavlovich, Story, Wagner.

Total 8

Absent or not voting: Adams, Bookout-Reinicke, Brainard, Cobb, Erickson, Gillan, Guggenheim, Jore, Kitzenberg, Krenzler, Schmidt, Sliter, Somerville.

Total 13

Motion that **HB 310**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, R. Clark, Dale, Davies, Dell, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Lawson, Lenhart, Lindeen, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Peck, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 57

Noes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hager, Harper, Harrington, Hibbard, Hurdle, Juneau, Kasten, Mangan, Matthews, McCulloch, Menahan, Orr, Pavlovich, Quilici, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.

Total 38

Voted Absentee: Ahner, Holden, Johnson, Story, Wagner, Ayes; Eggers, Pavlovich, Noes.

Excused: Curtiss.

Total 1

Absent or not voting: E. Clark, Gillan, Kitzenberg, Krenzler.

Total 4

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Representative Williams excused at this time.

HB 142 - Representative Anderson moved **HB 142** do pass.

HB 142 - Representative Quilici moved for cloture. Motion carried as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Dale, Davies, Dell, Fisher, Fuchs, Gallus, Grinde, Haines, Hanson, Harrington, Hedges, Hibbard, Jackson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Peck, Quilici, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Stovall, Tash, Thomas, Trexler, Tropila, Vick, Walters, Witt, Zook, Mr. Speaker.

Total 63

Noes: Barnhart, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Erickson, Ewer, Facey, Galvin-Halcro, Golie, Gutsche, Hagener, Harper, Hurdle, Lindeen, Mangan, Raney, Schmidt, Squires, Swanson, Tuss, Wyatt, Younkin.

Total 23

Excused: Ahner, Curtiss, Eggers, Gillan, Holden, Johnson, Krenzler, Pavlovich, Story, Wagner, Williams.

Total 11

Absent or not voting: Guggenheim, McCulloch, Taylor.

Total 3

Motion that **HB 142** do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Cobb, Dale, Davies, Dell, Fisher, Fuchs, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 61

Noes: Barnhart, Buzzas, P. Clark, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Juneau, Lenhart, Lindeen, Mangan, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 35

Voted Absentee: Ahner, Holden, Johnson, Story, Ayes; Eggers, Gillan, Pavlovich, Williams, Noes.

Excused: Curtiss, Krenzler, Wagner.

Total 3

Absent or not voting: Bookout-Reinicke.

Total 1

SB 76 - Representative Soft moved **SB 76** be concurred in. Motion carried as follows:

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Ayes: Ahner, S. Anderson, Barnett, Barnhart, Beck, Brown, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Wyatt, Younkin, Zook.

Total 62

Noes: Adams, J. Andersen, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Golie, Grinde, Haines, Hanson, Jackson, Jore, Kasten, McGee, McKenney, Molnar, Mood, Orr, Rehbein, Shockley, Sliter, Smith, Taylor, Trexler, Vick, Walters, Witt, Mr. Speaker.

Total 37

Voted Absentee: Ahner, Eggers, Gillan, Holden, Johnson, Krenzler, Pavlovich, Story, Williams, Ayes; Curtiss, No.

Excused: Wagner.

Total 1

Absent or not voting: None.

Total 0

SB 6 - Representative Anderson moved **SB 6** be concurred in. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, P. Bergsagel, Jore, Orr.

Total 4

Voted Absentee: Ahner, Curtiss, Eggers, Gillan, Holden, Johnson, Krenzler, Pavlovich, Story, Williams, Ayes.

Excused: Wagner.

Total 1

Absent or not voting: P. Clark, Vick.

Total 2

HB 142 - Representative Ewer made a substitute motion that **HB 142** be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion failed as follows:

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Ayes: Barnhart, P. Bergsagel, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dell, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Juneau, Lenhart, Lindeen, Mangan, McCann, McCulloch, Menahan, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Wyatt.

Total 36

Noes: Adams, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Dale, Davies, Fisher, Fuchs, Grinde, Hagener, Haines, Hedges, Hibbard, Jackson, Jore, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Stovall, Tash, Thomas, Trexler, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 51

Excused: Ahner, Curtiss, Eggers, Gillan, Holden, Johnson, Krenzler, Pavlovich, Story, Wagner, Williams.

Total 11

Absent or not voting: Hanson, Taylor.

Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Golie moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Dale, Davies, Dell, Fisher, Fuchs, Grinde, Hagener, Haines, Hedges, Hibbard, Jackson, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Peck, Quilici, Rehbein, Rose, Shockley, Simon, Smith, Soft, Somerville, Stovall, Tash, Thomas, Trexler, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 53

Noes: Barnhart, P. Bergsagel, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Erickson, Ewer, Facey, Gallus, Golie, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Jore, Juneau, Lenhart, Lindeen, Mangan, McCann, McCulloch, Menahan, Raney, Ryan, Schmidt, Sliter, Swanson, Tropila, Tuss.

Total 31

Excused: Ahner, Curtiss, Eggers, Gillan, Holden, Johnson, Krenzler, Pavlovich, Story, Wagner, Williams.

Total 11

Absent or not voting: Galvin-Halcro, Hanson, Squires, Taylor, Wyatt.

Total 5

MOTIONS

Representative Dale requested on 3rd reading today his votes be shown as yes on all bills except **HB 103**, where his vote is no. There being no objections, so ordered.

Representative Beck requested on **SB 50**, 3rd reading today, his vote be shown as yes. There being no objections, so ordered.

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Representative Mangan requested on **HB 361**, 3rd reading today, his vote be changed from no to yes. There being no objections, so ordered.

Representative P. Clark requested on **HB 421**, 2nd reading today, his vote be shown as yes. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Monday, February 8, 1999. Motion carried.

House adjourned at 2:20 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

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Helena, Montana
February 8, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Soft. Posting of the colors and the Pledge of Allegiance to the Flag led by the Treasure Trails Girl Scout Council Troops 162 and 560 from Billings. Lori Glot, director of membership and marketing, and scout Cathleen Crewer gave the commands.

Roll Call. All members present except Representatives Dale and Guggenheim. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman):

2/8/1999

Correctly printed: **HB 334, HB 396, HB 430, HB 442, HJR 12, HJR 15, SB 18, SB 77.**

Correctly engrossed: **HB 142, HB 300, HB 306, HB 310, HB 331, HB 344, HB 348, HB 391, HB 421, SB 4, SB 20, SB 28, SB 30, SB 34, SB 51, SB 55, SB 62, SB 106, SB 141.**

APPROPRIATIONS (Zook, Chairman):

2/8/1999

HB 6, introduced bill, be amended as follows:

1. Page 1, line 27.

Following: "funding."

Insert: "It is the intent of the legislature that each grant project listed after the Rae Water and Sewer District project in subsection (3) may not receive grant funds until sufficient funds are available for that purpose."

2. Page 2, line 4.

Strike: "Milk River Project Water Users"

Insert: "Glasgow Irrigation District"

3. Page 2.

Strike: lines 10 and 11 in their entirety

4. Page 2, line 18.

Strike: "100,000"

Insert: "75,000"

5. Page 2.

Following: line 19

Insert: "Tin Cup County Water and Sewer District 25,000
(Tin Cup Lake Dam Restoration Project)"

6. Page 3.

Strike: lines 4 and 5 in their entirety

7. Page 3.

Strike: lines 24 and 25 in their entirety

8. Page 3 through page 4, line 1.

Strike: line 30 and line 1 in their entirety

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9. Page 5.

Strike: lines 2 and 3 in their entirety

10. Page 5.

Strike: lines 6 and 7 in their entirety

11. Page 5.

Strike: lines 10 and 11 in their entirety

12. Page 7, line 14.

Following: "funding."

Insert: "It is the intent of the legislature that each grant project listed after the Rae Water and Sewer District project in subsection (3) may not receive grant funds until sufficient funds are available for that purpose."

And, as amended, do pass. Report adopted.

HB 8, introduced bill, be amended as follows:

1. Page 1.

Strike: lines 28 and 29 in their entirety

2. Page 2, line 1.

Strike: "409,700"

Insert: "434,700"

3. Page 2, line 15.

Strike: "409,426"

Insert: "509,426"

4. Page 2.

Following: line 15

Insert: "(3) GROUP C: Notwithstanding the provisions of [section 6], the interest rate for the projects in this group is 4% or the rate at which the state bonds are sold, whichever is lower, for up to 20 years.

Loan

Amount

MALTA IRRIGATION DISTRICT

\$2,274,950

Repair and Modification of Dodson Diversion Dam"

5. Page 4, line 7.

Strike: "\$23,603,032"

Insert: "\$22,897,465"

6. Page 4, line 7.

Strike: "\$18,909,352"

Insert: "\$18,834,352"

7. Page 4, line 8.

Strike: "\$2,547,950"

Insert: "\$1,981,525"

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8. Page 4, line 9.

Strike: "\$2,145,730"

Insert: "\$2,081,588"

9. Page 6, line 3.

Following: "."

Insert: "The department is authorized to reduce the interest rate for the Tin Cup Water District Loan Number WDL-98-3237 from 4.5% to 0.0% for the remainder of the term of the loan."

And, as amended, do pass. Report adopted.

HB 437, introduced bill, be amended as follows:

1. Page 1, line 21.

Following: "69-3-805"

Insert: "or a provider of commercial mobile service, as defined in 47 U.S.C. 332(d)(1)"

And, as amended, do pass. Report adopted.

EDUCATION (Masolo, Chairman):

2/8/1999

HB 419, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "PROVIDING" through "ELECTORATE;"

2. Title, line 8.

Following: "20-9-404"

Strike: ", "

Insert: "AND"

Following: "20-9-405, "

Strike: "AND 20-9-428,"

3. Page 1, line 21 through line 25.

Strike: "The" on line 21 through "subdivision." on line 25

4. Page 2, line 6 through line 30.

Strike: section 3 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):

2/8/1999

HB 74, introduced bill, be amended as follows:

1. Page 1, lines 26 and 27.

Following: "less"

Strike: "the amount required" through "account"

Insert: "any proceeds deposited to the administration account as provided in subsection (2)(c)(ii)"

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2. Page 1, line 29.

Strike: "¿"

3. Page 1, line 30.

Strike: "(i)"

Insert: ", an amount not to exceed"

4. Page 2, line 1.

Following: "costs"

Insert: "and that may include a combination of:

(i) federal funds"

5. Page 2, line 2.

Following: "as"

Strike: "may be eligible under"

Insert: "the department determines necessary and as required by"

6. Page 2, line 3.

Following: "act"

Strike: "to pay costs of"

Insert: "for state matching funds to assist in"

7. Page 2, line 15.

Following: "bonds."

Insert: "The department may transfer payments and prepayments of the principal of loans deposited in the state allocation account to the state allocation account of the state's drinking water revolving fund program."

8. Page 2, lines 19 through 23.

Following: "et seq.,"

Strike: "and with" through "75-6-211"

Insert: "the governor may reserve or transfer to the state's drinking water revolving fund program up to 33 % of the state's water pollution control revolving fund program capitalization grant"

9. Page 4, line 4.

Following: "loan."

Insert: "Once the reserve has been established at a level considered by the department to be reasonable and prudent for the loans outstanding, the department may use excess reserve payments to make grants to aid in the feasibility of projects."

10. Page 6, lines 27 and 28.

Following: "less"

Strike: "the amount required" through "account"

Insert: "any proceeds deposited to the administration account as provided in subsection (2)(c)(ii)"

11. Page 7, line 1.

Strike: "¿"

12. Page 7, line 2.

Strike: "(i)"

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Insert: ", an amount not to exceed"

13. Page 7, line 3.

Following: "costs"

Insert: "and that may include a combination of:
(i) federal funds"

14. Page 7, line 4.

Following: "as"

Strike: "may be eligible under"

Insert: "the department determines necessary and as required by"

15. Page 7, line 5.

Following: "act"

Strike: "to pay costs of"

Insert: "for state matching funds to assist in"

16. Page 7.

Following: Line 19.

Insert: "The department may transfer payments and prepayments of the principal of loans deposited in the state allocation account to the state allocation account of the state's water pollution control revolving fund program."

17. Page 7, lines 23 through 26.

Following: "act"

Strike: "and" through "75-5-1106."

Insert: ", the governor may reserve or transfer to the state's water pollution control revolving fund up to 33% of the state's drinking water revolving fund program capitalization grant."

18. Page 9, line 15.

Following: "other"

Strike: "loans."

Insert: "loan. Once the reserve has been established at a level considered by the department to be reasonable and prudent for the amount of the loans outstanding, the department may use excess reserve payments to make grants to aid in the feasibility of projects."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/6/1999

SB 154, introduced by Mohl

SB 163, introduced by Mahlum

SB 215, introduced by Bartlett

SB 227, introduced by Hertel

SB 232, introduced by DePratu

SB 234, introduced by Thomas

SB 236, introduced by Doherty

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SB 257, introduced by Grimes
SB 272, introduced by Cocchiarella
SB 276, introduced by Berry
SB 290, introduced by Lynch
SB 296, introduced by Nelson

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 540, introduced by L. Grinde, D. Adams, J. Andersen, S. Anderson, J. Barnett, T. Beck, D. Berry, A. Bishop, J. Bohlinger, R. Brown, R. Clark, B. Crippen, W. Crismore, R. Dale, B. Davies, G. Devlin, S. Fisher, D. Fuchs, D. Grimes, L. Grosfield, D. Haines, M. Hanson, D. Hargrove, J. Harp, D. Hedges, C. Hibbard, V. Jackson, B. Kasten, B. Lawson, R. Lenhart, D. Mahlum, J. Mangan, G. Masolo, D. McGee, J. McKenney, J. Mercer, K. Mesaros, D. Mood, M. Noennig, K. Ohs, B. Rehbein, S. Rose, B. Simon, P. Sliter, R. Somerville, J. Stovall, B. Tash, L. Taylor, M. Taylor, B. Thomas, F. Thomas, C. Younkin, T. Zook, referred to Taxation.
HB 541, introduced by L. Grinde, referred to Taxation.
HB 542, introduced by L. Grinde, referred to Taxation.
HB 543, introduced by F. Smith, referred to Transportation.
HB 544, introduced by S. Gallus, referred to Business and Labor.
HB 545, introduced by S. Gallus, referred to Business and Labor.
HB 546, introduced by S. Gallus, D. Harrington, B. Krenzler, J. Lynch, R. Menahan, J. Quilici, D. Shea, referred to Business and Labor.
HB 547, introduced by S. Gallus, R. Menahan, referred to Business and Labor.
HB 548, introduced by B. Raney, referred to Fish, Wildlife and Parks.
HB 549, introduced by M. Lindeen, referred to Education.
HB 550, introduced by B. Rehbein, J. Witt, referred to Fish, Wildlife and Parks.
HB 551, introduced by J. Cobb, referred to Human Services.
HB 552, introduced by R. Peck, B. Eggers, D. Ewer, M. Halligan, S. Kitzenberg, M. McCann, R. Somerville, J. Tester, referred to Judiciary.
HB 553, introduced by B. Thomas, referred to Business and Labor.
HB 554, introduced by B. Krenzler, S. Bartlett, G. Beck, J. Bohlinger, R. Buzzas, C. Christiaens, P. Clark, V. Cocchiarella, T. Dell, D. Eck, J. Ellingson, D. Ewer, E. Franklin, S. Gallus, K. Gillan, T. Hagener, M. Halligan, D. Harrington, J. Hurdle, G. Jergeson, T. Keating, M. Lindeen, J. Mangan, G. Masolo, G. Matthews, L. McCulloch, J. Quilici, G. Roush, T. Schmidt, L. Soft, C. Squires, S. Stang, J. Tester, B. Thomas, M. Waterman, C. Williams, J. Witt, referred to Human Services.
HB 555, introduced by J. McKenney, D. Ewer, D. Fuchs, K. Galvin-Halcro, G. Golie, S. Kitzenberg, M. Lindeen, G. Matthews, K. Mesaros, K. Ohs, B. Ryan, B. Simon, C. Squires, J. Stovall, J. Witt, D. Wyatt, referred to Appropriations.
HB 556, introduced by D. Ewer, S. Bartlett, E. Franklin, H. Harper, J. Lynch, L. McCulloch, B. Raney, D. Shea, B. Wilson, referred to Business and Labor.
HB 557, introduced by D. Ewer, S. Bartlett, T. Beck, S. Doherty, J. Ellingson, E. Franklin, H. Harper, J. Lynch, L. McCulloch, B. Raney, G. Roush, D. Shea, B. Wilson, referred to Business and Labor.
HB 558, introduced by R. Bitney, J. Hertel, J. Lynch, J. Quilici, P. Sliter, referred to Business and Labor.
HB 559, introduced by A. Curtiss, referred to State Administration.
HB 560, introduced by M. Hanson, S. Rose, J. Witt, referred to Local Government.
HB 561, introduced by S. Gallus, G. Devlin, S. Doherty, L. Grinde, J. Harp, J. Lynch, W. McNutt, J. Mercer, A. Mohl, J. Quilici, F. Thomas, referred to Transportation.

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HB 562, introduced by R. Buzzas, referred to Appropriations.

HB 563, introduced by K. Gillan, J. Andersen, M. Guggenheim, referred to Human Services.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 19, introduced by A. Curtiss, referred to State/Federal Relations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative R. Clark in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 228 - Representative Ewer moved **HB 228** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Dale, Guggenheim, Ayes.

Excused: None.

Total 0

Absent or not voting: Adams.

Total 1

Representative Krenzler excused at this time.

HB 119 - Representative Mood moved **HB 119** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch,

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McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Dale, Guggenheim, Krenzler, Ayes.

Excused: None.
Total 0

Absent or not voting: Gillan.
Total 1

HB 118 - Representative Mood moved **HB 118** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook.
Total 87

Noes: Adams, P. Bergsagel, Galvin-Halcro, Hurdle, Jore, McGee, Molnar, Orr, Vick, Wyatt.
Total 10

Voted Absentee: Dale, Guggenheim, Krenzler, Ayes.

Excused: None.
Total 0

Absent or not voting: Bitney, McCann, Mr. Speaker.
Total 3

HB 56 - Representative Menahan moved **HB 56** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 100

Noes: None.
Total 0

Voted Absentee: Dale, Guggenheim, Krenzler, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 247 - Representative Harrington moved **HB 247** do pass.

HB 247 - Representative Harrington moved **HB 247**, second reading copy, be amended as follows :

1. Title, line 7.

Following: "HOLIDAYS;"

Insert: "SUPERSEDING THE UNFUNDED MANDATE LAWS;"

2. Page 2, line 30.

Insert: "NEW SECTION. Section 4. Unfunded mandate law superceded. The provisions of [this act] expressly supersede and modify the requirements of 1-2-112 through 1-2-116."

Renumber: subsequent section

Amendment passed as follows:

Ayes: Barnhart, Beck, Brown, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Haines, Harper, Harrington, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Williams, Wyatt, Zook, Mr. Speaker.

Total 54

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Curtiss, Davies, Fisher, Fuchs, Grinde, Hagener, Hanson, Hedges, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Orr, Rehbein, Shockley, Sliter, Soft, Somerville, Story, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin.

Total 45

Voted Absentee: Guggenheim, Krenzler, Ayes.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

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HB 247 - Representative Harrington moved **HB 247**, as amended, do pass. Motion failed as follows:

Ayes: Barnhart, Beck, Brainard, Brown, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Haines, Harper, Harrington, Hibbard, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Pavlovich, Quilici, Raney, Ryan, Schmidt, Simon, Smith, Somerville, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Wyatt.
Total 48

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, E. Clark, R. Clark, Curtiss, Davies, Fisher, Fuchs, Grinde, Hagener, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McGee, Molnar, Mood, Noennig, Ohs, Orr, Peck, Rehbein, Rose, Shockley, Sliter, Soft, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 51

Voted Absentee: Guggenheim, Krenzler, Ayes.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

HB 405 - Representative Fuchs moved **HB 405** do pass.

HB 405 - Representative Hurdle moved consideration of **HB 405** be passed for the day. Motion failed.

Ayes: Barnhart, Beck, Bookout-Reinicke, Brown, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Mood, Peck, Quilici, Raney, Schmidt, Shockley, Smith, Somerville, Squires, Swanson, Thomas, Tropila, Tuss, Vick, Williams, Witt, Wyatt.
Total 48

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, E. Clark, R. Clark, Cobb, Curtiss, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Jore, Kasten, Kitzenberg, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Rehbein, Rose, Ryan, Simon, Sliter, Soft, Story, Stovall, Tash, Taylor, Trexler, Wagner, Walters, Younkin, Zook, Mr. Speaker.
Total 49

Excused: Dale, Guggenheim, Krenzler.
Total 3

Absent or not voting: None.
Total 0

Motion that **HB 405** do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Davies, Dell, Erickson, Facey, Fisher, Fuchs, Gallus,

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Gillan, Golie, Grinde, Guggenheim, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lindeen, Mangan, Masolo, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 78

Noes: Barnhart, Beck, Buzzas, Cobb, Eggers, Ewer, Galvin-Halcro, Gutsche, Hagener, Hurdle, Juneau, Lawson, Lenhart, Matthews, Peck, Schmidt, Smith, Tropila, Tuss, Williams.
Total 20

Voted Absentee: Guggenheim, Aye.

Excused: Dale, Krenzler.
Total 2

Absent or not voting: None.
Total 0

HB 236 - Representative Barnett moved **HB 236** do pass.

HB 236 - Representative Barnett moved **HB 236**, second reading copy, be amended as follows :

1. Title, line 9.

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

2. Page 10, line 19.

Insert: "NEW SECTION. Section 7. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

Renumber: subsequent section

3. Page 10, line 21.

Insert: "NEW SECTION. Section 9. Applicability. [This act] applies to school boundary transfer proceedings that begin on or after [the effective date of this act]. [This act] does not apply to school boundary transfer proceedings that are currently proceeding or that are the subject of pending or current litigation."

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

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Noes: None.
Total 0

Excused: Dale, Guggenheim, Krenzler.
Total 3

Absent or not voting: None.
Total 0

Motion that **HB 236**, as amended, do pass carried as follows:

Ayes: Ahner, Barnett, Barnhart, Bitney, Bookout-Reinicke, Brown, Cobb, Eggers, Ewer, Fisher, Fuchs, Gillan, Grinde, Guggenheim, Hagener, Harper, Harrington, Hedges, Hibbard, Holden, Kitzenberg, Krenzler, Lawson, Lenhart, Matthews, McCulloch, McGee, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Rose, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Tash, Thomas, Tropila, Tuss, Vick, Walters, Williams, Younkin, Mr. Speaker.
Total 50

Noes: Adams, J. Andersen, S. Anderson, Beck, E. Bergsagel, P. Bergsagel, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Davies, Dell, Erickson, Facey, Gallus, Galvin-Halcro, Golie, Gutsche, Haines, Hanson, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Mangan, Masolo, McCann, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Ryan, Schmidt, Shockley, Story, Swanson, Taylor, Trexler, Wagner, Witt, Wyatt, Zook.
Total 48

Voted Absentee: Guggenheim, Krenzler, Ayes.

Excused: Dale.
Total 1

Absent or not voting: Lindeen.
Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman R. Clark moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 89

Noes: Cobb, Jore, Mangan, Rehbein, Squires, Taylor, Wyatt.
Total 7

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Excused: Dale, Krenzler.
Total 2

Absent or not voting: R. Clark, Schmidt.
Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 300 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Krenzler, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 93

Noes: Jore, McGee, Orr, Wagner.
Total 4

Voted Absentee: Dale, Krenzler, Ayes.

Excused: None.
Total 0

Absent or not voting: Hagener, Kitzenberg, Lindeen.
Total 3

HB 306 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 88

Noes: Adams, Bookout-Reinicke, Brainard, Brown, Jackson, Jore, Kasten, Molnar, Mood, Orr, Vick.
Total 11

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Voted Absentee: Dale, Krenzler, Ayes.

Excused: None.
Total 0

Absent or not voting: Holden.
Total 1

HB 331 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 93

Noes: Adams, Brainard, Jore, Orr, Rehbein, Wagner.
Total 6

Voted Absentee: Dale, Krenzler, Ayes.

Excused: None.
Total 0

Absent or not voting: Trexler.
Total 1

HB 344 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, E. Clark, R. Clark, Curtiss, Fuchs, Hedges, Jackson, Jore, Orr, Rehbein, Sliter, Tash, Walters, Witt, Younkin.
Total 19

Voted Absentee: Dale, Krenzler, Ayes.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 348 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: E. Bergsagel, Brainard, Curtiss, Wagner, Walters.

Total 5

Voted Absentee: Krenzler, Aye.

Excused: Dale.

Total 1

Absent or not voting: Masolo.

Total 1

HB 391 passed as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Hurdle.

Total 1

Voted Absentee: Dale, Krenzler, Ayes.

Excused: None.

Total 0

Absent or not voting: S. Anderson, Fuchs.

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Total 2

HB 421 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 85

Noes: Adams, P. Bergsagel, Davies, Johnson, Jore, Kasten, McCann, Orr, Peck, Rehbein, Sliter, Vick, Wagner.

Total 13

Voted Absentee: Dale, Krenzler, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnett, Buzzas.

Total 2

SB 4 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: Jore.

Total 1

Voted Absentee: Krenzler, Aye.

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

SB 20, as amended, concurred in as follows:

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Ayes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, P. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 81

Noes: Ahner, P. Bergsagel, Brainard, Buzzas, R. Clark, Davies, Ewer, Galvin-Halcro, Jore, Orr, Rehbein, Ryan, Sliter, Squires, Tuss, Vick, Wagner, Wyatt.

Total 18

Voted Absentee: Krenzler, Aye.

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

SB 28 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Krenzler, Aye.

Excused: Dale.

Total 1

Absent or not voting: Holden.

Total 1

SB 30 concurred in as follows:

Ayes: S. Anderson, Barnett, Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann,

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McCulloch, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Soft, Squires, Swanson, Tash, Tropila, Williams, Wyatt.

Total 53

Noes: Adams, Ahner, J. Andersen, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Davies, Fisher, Fuchs, Grinde, Hanson, Holden, Jackson, Jore, Kasten, McGee, McKenney, Molnar, Mood, Orr, Rehbein, Shockley, Simon, Sliter, Smith, Somerville, Story, Stovall, Taylor, Thomas, Trexler, Tuss, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 44

Voted Absentee: Krenzler, Aye.

Excused: Dale.

Total 1

Absent or not voting: Vick, Younkin.

Total 2

SB 34 concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, Cobb, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, Brainard, R. Clark, Curtiss, Grinde, Jore, Rehbein.

Total 7

Voted Absentee: Krenzler, Aye.

Excused: Dale.

Total 1

Absent or not voting: E. Clark.

Total 1

SB 51 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley,

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Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Hurdle, Peck.

Total 2

Voted Absentee: Krenzler, Aye.

Excused: Dale.

Total 1

Absent or not voting: Lenhart.

Total 1

SB 55, as amended, concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Krenzler, Aye.

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

SB 62 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

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Noes: None.
Total 0

Voted Absentee: Krenzler, Aye.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

SB 106 concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Davies, Dell, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 87

Noes: Adams, P. Bergsagel, Brainard, R. Clark, Fuchs, Grinde, Jore, Molnar, Mood, Orr, Wagner.
Total 11

Voted Absentee: Krenzler, Aye.

Excused: Dale.
Total 1

Absent or not voting: Eggers.
Total 1

SB 141 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Dale, Krenzler, Ayes.

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Excused: None.
Total 0

Absent or not voting: Fuchs.
Total 1

MOTIONS

Representative Ewer requested on **SB 20**, 3rd reading today, his vote be changed from yes to no. There being no objections, so ordered.

Representative Simon requested on **SB 30**, 3rd reading today, his vote be shown as no. There being no objections, so ordered.

Representative Shockley requested on **SB 55** and **SB 141**, 3rd reading today, his votes be shown as noes. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Tuesday, February 9, 1999. Motion carried.

House adjourned at 2:50 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
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Helena, Montana
February 9, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Vick. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Dale, Gutsche, Lenhart, and Ohs. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/9/1999
Correctly printed: **HB 6, HB 8, HB 74, HB 419, HB 437.**
Correctly engrossed: **HB 56, HB 118, HB 119, HB 228, HB 236, HB 405, SB 6, SB 76.**

EDUCATION (Masolo, Chairman): 2/9/1999
HJR 13, be adopted. Report adopted.
HJR 14, be adopted. Report adopted.

HUMAN SERVICES (Soft, Chairman): 2/9/1999
HB 269, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING A TERMINATION DATE"

2. Page 2, line 2.

Following: "includes"

Insert: "but is not limited to:

- (a) a member of the clergy;
- (b) a professional social worker;
- (c) an attorney;
- (d) a licensed counselor;
- (e) a mediator;
- (f) a teacher; or
- (g)"

3. Page 2, line 14.

Following: "**Disclosure**"

Insert: "-- exception"

4. Page 2, line 18.

Following: "family."

Insert: "However, a document, report, record, or other information may not be disclosed if it is determined to be detrimental to the child or harmful to another individual who is the subject of the document, report, record, or information."

5. Page 3, line 12.

Strike: "awards temporary care and custody of a child to"

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Insert: "places a child with"

6. Page 3, line 14.

Following: "manner"

Insert: "through the appropriate department licensing process"

7. Page 5.

Following: line 8

Insert: "(8) A family advocate may not limit, delay, or in any way interfere with the department's ability to conduct or complete an investigation as required by law."

8. Page 8.

Following: line 17

Insert: "NEW SECTION. **Section 14. Termination.** [This act] terminates October 1, 2004."

And, as amended, do pass. Report adopted.

HB 275, introduced bill, be amended as follows:

2/8/1999

1. Title, page 1, line 7.

Strike: "AND 10-YEAR PLANNING"

2. Title, page 1, lines 8 and 9.

Strike: "REQUIRING" on line 8 through "AGING;" on line 9

3. Title, page 1, line 10.

Strike: "PROVIDING AN APPROPRIATION;"

Insert: "AND"

4. Title, page 1, line 11.

Strike: "; AND PROVIDING AN EFFECTIVE DATE"

Insert: "; AND PROVIDING A TERMINATION DATE"

5. Page 1, line 29.

Following: "must"

Insert: "be provided to the legislature and the governor and must"

6. Page 2, line 6.

Strike: "and 10-year community"

7. Page 2, line 16.

Strike: "and in developing 10-year plans to meet those needs and goals"

8. Page 2, line 24 through page 3, line 8.

Strike: section 3 in its entirety

Renumber: subsequent sections

9. Page 4, line 19 through page 4, line 27.

Strike: sections 6 through 8 in their entirety

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10. Page 4.

Following: line 27

Insert: "Insert: "NEW SECTION. Section 5. Termination. [This act] terminates June 30, 2001"

And, as amended, do pass. Report adopted.

HB 399, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "EXAMINERS;"

Insert: "PROVIDING FOR EXCEPTIONS GRANTED BY THE BOARD;"

2. Page 2, line 17.

Strike: "or"

3. Page 2, line 18.

Following: "physician"

Insert: "or other health care provider"

4. Page 2, line 19.

Following: "representative"

Insert: "; or

(e) a communication from a physician located outside Montana to a patient in Montana in collaboration with a physician licensed to practice medicine in Montana"

And, as amended, do pass. Report adopted.

JUDICIARY (Clark, Chairman):

2/8/1999

HB 374, introduced bill, be amended as follows:

1. Title, line 4 through line 6.

Strike: "TRANSFERRING" on line 4 through "ATTORNEY;" on line 6

2. Title, line 7.

Following: "DECISION"

Insert: "THAT A YOUTH SHOULD BE TRIED AS AN ADULT"

3. Title, line 7 through line 9.

Strike: "ALLOWING" on line 7 through "MISDEMEANOR;" on line 9

4. Title, line 10.

Strike: "18"

Insert: "16"

5. Page 1, line 17.

Page 2, lines 11, 14 (two places), and 28 (two places)

Strike: "youth"

Insert: "district"

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6. Page 2, line 18.

Following: "that"

Insert: ", considering the seriousness of the offense,"

7. Page 4, line 16.

Insert: "(7) A consent decree with petition under this section may not be used to dispose of a youth's alleged second or subsequent offense if that offense would be a felony if committed by an adult or third or subsequent offense if that offense would be a misdemeanor if committed by an adult."

8. Page 4, line 26.

Strike: "18"

Insert: "16"

9. Page 5, line 24.

Strike: "18"

Insert: "16"

10. Title, line 6.

Strike: "YOUTH"

Insert: "DISTRICT"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):
HB 340, do pass. Report adopted.

2/9/1999

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/8/1999

SB 82, introduced by Doherty
SB 117, introduced by Thomas
SB 118, introduced by Thomas
SB 216, introduced by Swysgood
SB 269, introduced by Toews
SB 295, introduced by Doherty
SB 317, introduced by Beck

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 564, introduced by R. Somerville, P. Clark, B. DePratu, J. Harp, H. Harper, B. Keenan, B. Lawson, J. Mercer, A. Mohl, S. Orr, B. Raney, D. Wagner, A. Walters, J. Wells, referred to Fish, Wildlife and Parks.
HB 565, introduced by R. Brown, referred to Transportation.
HB 566, introduced by M. Brainard, S. Bookout-Reinicke, R. Clark, A. Curtiss, B. Davies, D. Fuchs, D. Haines, D. Hedges, R. Jore, D. McGee, J. McKenney, K. Miller, B. Molnar, J. Shockley, J. Wells, referred to Judiciary.
HB 567, introduced by M. Noennig, L. Grosfield (by request of the Joint Select Committee on CI-75), referred to Taxation.

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HB 568, introduced by M. McCann, referred to Appropriations.

HB 569, introduced by R. Erickson, D. Ewer, T. Facey, G. Gutsche, M. Halligan, H. Harper, C. Hibbard, L. McCulloch, R. Somerville, C. Squires, referred to Taxation.

HB 570, introduced by B. Lawson, referred to State Administration.

HB 571, introduced by M. McCann, G. Jergeson, referred to Agriculture.

HB 572, introduced by C. Squires, J. Ellingson, T. Facey, L. McCulloch, C. Williams, referred to Business and Labor.

HB 573, introduced by S. Bookout-Reinicke, referred to Natural Resources.

HB 574, introduced by S. Bookout-Reinicke, referred to Natural Resources.

HB 575, introduced by T. Dell, M. Brainard, referred to Local Government.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lindeen in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 15 - Representative Stovall moved **HJR 15** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Jore, Orr.
Total 2

Voted Absentee: Gutsche, Lenhart, Ohs, Ayes.

Excused: Dale.
Total 1

Absent or not voting: Bitney.
Total 1

HB 430 - Representative Squires moved **HB 430** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart,

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Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: P. Bergsagel, R. Clark, Jore, McGee, Orr, Rehbein.

Total 6

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnhart, Bitney.

Total 2

HB 334 - Representative Quilici moved **HB 334** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: McGee, Orr.

Total 2

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: Pavlovich.

Total 1

SB 11 - Representative Grinde moved **SB 11** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson,

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Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: Jore, Orr.

Total 2

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 77 - Representative Simon moved **SB 77** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Grinde, Hanson, Hedges, Hibbard, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 59

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Holden, Hurdle, Juneau, Krenzler, Lindeen, Mangan, Matthews, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 40

Voted Absentee: Dale, Lenhart, Ohs, Ayes; Gutsche, No.

Excused: None.

Total 0

Absent or not voting: Fuchs.

Total 1

SB 32 - Representative Gillan moved **SB 32** be concurred in. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Thomas, Tropila, Tuss, Vick, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 85

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Noes: Adams, Beck, P. Bergsagel, Harrington, Jore, McKenney, Menahan, Molnar, Orr, Shockley, Stovall, Taylor, Trexler, Wagner, Walters.

Total 15

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 2 - Representative Rehbein moved **SB 2** be concurred in.

SB 2 - Representative Rehbein moved consideration of **SB 2** be passed for the day. Motion carried.

SB 21 - Representative Gallus moved **SB 21** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Jore, Rehbein, Vick.

Total 3

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: Harper, Raney.

Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Lindeen moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Davies, Erickson, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Hanson, Harrington, Jackson, Jore, Lawson, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Orr, Peck, Quilici, Rose, Ryan, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Vick, Wagner, Walters, Williams, Wyatt, Younkin, Mr. Speaker.

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Total 61

Noes: Ewer, Fuchs, Rehbein, Sliter.

Total 4

Excused: Dale, Gutsche, Lenhart, Ohs.

Total 4

Absent or not voting: P. Bergsagel, Bitney, Curtiss, Dell, Eggers, Fisher, Gillan, Grinde, Hagener, Haines, Harper, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lindeen, Masolo, Molnar, Pavlovich, Raney, Schmidt, Thomas, Trexler, Tuss, Witt, Zook.

Total 31

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 56 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 118 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood,

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Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, Hurdle, Jore, McGee, Molnar, Orr.

Total 6

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnhart.

Total 1

HB 119 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Galvin-Halcro, Jore, Wyatt.

Total 3

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: Rehbein, Tuss.

Total 2

HB 142 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fuchs, Grinde, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 64

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Noes: Barnhart, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Harper, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 35

Voted Absentee: Dale, Ohs, Ayes; Gutsche, Lenhart, Noes.

Excused: None.

Total 0

Absent or not voting: Fisher.

Total 1

HB 228 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 310 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Jore, Kitzenberg, Lawson, Lenhart, Lindeen, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Peck, Raney, Rehbein, Shockley, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Walters, Witt, Zook, Mr. Speaker.

Total 55

Noes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kasten, Krenzler, Mangan, Matthews, McCulloch, Menahan, Ohs, Orr, Pavlovich, Quilici, Rose, Ryan, Schmidt, Simon, Smith,

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Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.
Total 44

Voted Absentee: Dale, Lenhart, Ayes; Gutsche, Ohs, Noes.

Excused: None.
Total 0

Absent or not voting: Wagner.
Total 1

HB 405 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: Beck, Buzzas, Eggers, Ewer, Hagener, Hurdle, Williams.
Total 7

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.
Total 0

Absent or not voting: E. Clark.
Total 1

SB 6 concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: Adams, P. Bergsagel, Hurdle, Jore, Orr.
Total 5

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Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 76 concurred in as follows:

Ayes: S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Brown, Buzzas, P. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.
Total 73

Noes: Adams, Ahner, J. Andersen, P. Bergsagel, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Cobb, Curtiss, Davies, Fuchs, Golie, Jackson, Jore, Kasten, McGee, McKenney, Molnar, Orr, Rehbein, Sliter, Smith, Trexler, Vick, Wagner, Witt.
Total 27

Voted Absentee: Dale, Gutsche, Lenhart, Ohs, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Harrington moved to reconsider the 2nd reading action taken on **HB 247** on Legislative Day 31, 2/8/1999. Motion failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Simon, Smith, Soft, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Wyatt.
Total 49

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McGee, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Somerville, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 51

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Voted Absentee: Gutsche, Lenhart, Ayes; Dale, Ohs, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Gillan moved to reconsider the action taken on **SB 32** on 2nd reading today and return it to the 2nd reading calendar. Motion carried.

Representative Swanson requested to change Representative Gutsche's 3rd reading vote today on **HB 142** from yes to no. There being no objections, so ordered.

SPECIAL ORDERS OF THE DAY

The following cosponsor was added to **HB 412**: Representative Stovall.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 12:00 p.m., Wednesday, February 10, 1999. Motion carried.

House adjourned at 2:00 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

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Helena, Montana
February 10, 1999

House Chambers
State Capitol

House convened at 12:00 p.m. Mr. Speaker in the Chair. Invocation by Gertie Heavy Runner, mother of George Heavy Runner. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Ahner, Brown, and Ohs. Quorum present.

The Chorale from Custer County District High School in Miles City, Montana performed "My God is So High" under the direction of Terry Annalora. They are one of five choirs from the northwest United States on their way to perform at the Northwest Music Educators Conference in Portland, Oregon on Sunday.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman):

2/10/1999

Correctly printed: **HB 269, HB 275, HB 340, HB 374, HB 399, HJR 13, HJR 14.**

Correctly engrossed: **HB 334, HB 430, HJR 15, SB 11, SB 21, SB 77.**

Correctly enrolled: **HB 55.**

Examined by the sponsor and found to be correct: **HB 55.**

AGRICULTURE (Barnett, Chairman):2/10/1999

SB 9, be concurred in. Report adopted.

SB 171, be amended as follows:

1. Page 1, line 21.

Following: "hunting"

Insert: "or taking or attempting to take nongame wildlife or predatory animals"

2. Page 1, line 22 through line 23.

Strike: "IN" on line 22 through "LICENSE" on line 23

And, as amended, be concurred in. Report adopted.

APPROPRIATIONS (Zook, Chairman):

2/10/1999

HB 414, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Wagner, Chairman):

2/10/1999

HB 387, introduced bill, be amended as follows:

1. Title, line 5.

Following: "CONTROLS"

Strike: "A NATURAL"

Insert: "AN ARTIFICIAL"

Following: "POND"

Strike: "THAT IS LOCATED ENTIRELY ON PRIVATE PROPERTY"

Insert: "OR A PRIVATE FISH POND"

2. Title, line 6.

Following: "MET;"

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Insert: "REVISING THE DEFINITION OF "ARTIFICIAL LAKE OR POND" TO INCLUDE A PRIVATE FISH POND;"

3. Page 1, lines 13 and line 14.

Following: "pond" on line 13

Strike: remainder of line 13 through "property" on line 14

Insert: "or a private fish pond"

4. Page 1, line 23.

Following: "(2)"

Insert: "(a)"

Following: "pond"

Insert: "or "private fish pond"

5. Page 1, line 23 through page 1, line 26.

Following: "section,"

Strike: remainder of line 23 through "area." on line 26

Insert: "means a body of water that is:

(i) created by artificial means or by a diversion of water that does not exceed 500 acres in surface area; or

(ii) an instream pond that does not exceed 500 acres with a tributary spring or stream that does not support game fish or fish species of special concern; and

(iii) not determined by the department to pose an unacceptable risk to game fish or fish species of special concern in adjacent waters.

(b) The term does not include all other natural ponds or bodies of water, including streams or rivers and impoundments or reservoirs of or on a natural stream, river, lake, or pond.

(3) An applicant for licensing of an instream private fish pond shall present to the department verification that game fish or fish species of special concern do not occur in the tributary, spring, or stream and that the instream private fish pond does not pose an unacceptable risk to game fish or fish species of special concern in adjacent waters. Verification must be in the form of:

(a) a formal report from a department-approved professional fisheries consultant; or

(b) other reliable data and documentation."

Renumber: subsequent subsections

6. Page 1, lines 28 and 29.

Following: "pond" on line 28

Strike: remainder of line 28 through "property" on line 29

7. Page 2, lines 8 and 9.

Following: "pond" on line 8

Strike: remainder of line 8 through "property" on line 9

And, as amended, do pass. Report adopted.

HB 398, introduced bill, be amended as follows:

1. Title, line 9.

Following: "ACQUIRE"

Insert: ", BY AGREEMENT BETWEEN A WILLING SELLER AND WILLING BUYER,"

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2. Title, line 11.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

3. Page 1, line 30.

Following: "lands"

Strike: "for recreational purposes"

4. Page 3, line 13.

Following: "acquire"

Insert: ", by agreement between a willing seller and willing buyer,"

5. Page 4, line 10.

Insert: "NEW SECTION. Section 6. Termination. [This act] terminates July 1, 2004."

And, as amended, do pass. Report adopted.

HB 435, do pass. Report adopted.

JUDICIARY (Clark, Chairman):

2/9/1999

HB 407, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "LIMITING"

Insert: ", UNTIL RELATED RULES ARE PROMULGATED,"

2. Title, line 9.

Strike: "AN IMMEDIATE"

Strike: "DATE"

Insert: "DATES"

3. Page 2, line 8.

Strike: "In"

Insert: "Except as provided in subsection (7) and until the supreme court promulgates and updates rules of procedure for water court review on its own motion of a statement of claim or settlement agreement between adverse parties, in"

4. Page 2, line 12.

Following: "85-2-233." on line 12

Insert: "(7) When a statement of claim or claims for an existing water right previously decreed by a district court exceeds the previously decreed flow rate and if the claim or claims are not the subject of a filed objection, the water judge may proceed with setting a hearing on all these claims for resolution of the decree exceedence. All relevant claimants, as determined by the water judge, shall resolve the decree exceedence through agreement, stipulation, or the hearing process before the judge may issue a decision that adjudicates the claim or claims."

5. Page 2, line 26.

Strike: "After"

Insert: "In matters concerning the determination and interpretation of existing water rights, after"

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Following: the second "decree"

Insert: "and until the supreme court promulgates rules of procedure related to postdecree department assistance to the water court"

6. Page 3, line 7.

Following: "files"

Insert: "and pursues"

7. Page 3.

Following: line 15

Insert: "NEW SECTION. Section 5. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent section

8. Page 3, line 16.

Strike: "date"

Insert: "dates"

Strike: "[This"

Insert: "(1) Except as provided in subsection (2), [this"

9. Page 3, line 17.

Insert: "(2) The amendment contained in 85-2-231(2)(a)(iv), 85-2-231(6), and [section 2], amending 85-2-243, are effective on January 1, 2000."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

2/9/1999

HB 258, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: " ; "

Insert: "PROVIDING A CONTINGENT VOIDNESS PROVISION;"

2. Page 1, line 11.

Strike: "\$30,000"

Insert: "\$50,000"

3. Page 1.

Following: line 12

Insert: "NEW SECTION. Section 2. Contingent voidness. If there are no social security contribution account reversions to the state general fund under 19-1-602(4), then [this act] is void."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 274, do pass. Report adopted.

HB 349, do pass. Report adopted.

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STATE/FEDERAL RELATIONS (Curtiss, Chairman):

2/10/1999

HB 173, do pass. Report adopted.

HJR 17, introduced joint resolution, be amended as follows:

1. Page 1, line 18.

Strike: "Colombia"

Insert: "Columbia"

And, as amended, be adopted. Report adopted.

TAXATION (Hibbard, Chairman):

2/9/1999

HB 128, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "4"

Insert: "3.75"

2. Title, page 1, line 10.

Following: "COOPERATIVES"

Insert: "AND RURAL ELECTRIC COOPERATIVES"

3. Page 3, line 27.

Strike: "the sale of prepaid telephone calling cards"

Insert: "charges for telecommunications services that have been prepaid by a prepaid calling card that enables the origination of calls by using an access number or authorization code"

4. Page 4, line 7.

Strike: "4%"

Insert: "3.75%"

5. Page 4, line 29.

Following: "cooperatives"

Insert: "and rural electric cooperatives"

6. Page 4, line 30.

Following: "cooperatives"

Insert: "or rural electric cooperatives"

7. Page 9, line 5.

Following: "RR ="

Insert: "("

8. Page 9, line 6.

Following: "ML3)"

Insert: ")"

9. Page 9, line 21.

Following: "19]."

Insert: "Within 90 days after the close of the calendar quarter, the department shall remit to each county treasurer

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the reimbursement amount calculated in this subsection (4)."

Strike: "tax year reimbursed"

Insert: "reimbursement "

10. Page 14, line 4.

Strike: "county"

Insert: "city or town"

11. Page 14, line 30.

Strike: "county"

Insert: "city or town"

12. Page 17, line 9.

Strike: "county"

Insert: "city or town"

13. Page 18, line 27.

Strike: "800 persons"

Insert: "1,200 permanent residents"

14. Page 26, line 25.

Strike: "45(1)"

Insert: "44(1)"

15. Page 27, line 5.

Strike: "[LC 540]"

Insert: "House Bill No. 191"

And, as amended, do pass. Report adopted.

HB 191, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "4"

Insert: "3.75"

2. Page 1, line 11.

Strike: "4%"

Insert: "3.75%"

3. Page 1, line 16.

Strike: "as provided in Title 13, chapter 1, MCA,"

4. Page 1, line 19.

Strike: "4%"

Insert: "3.75%"

5. Page 1, line 21.

Strike: "4%"

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Insert: "3.75%"

6. Page 1, line 27.

Strike: " _ Bill No. _ [LC 382]"

Insert: "House Bill No. 128"

And, as amended, do pass. Report adopted.

2/10/1999

HB 418, do pass. Report adopted.

HB 479, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/9/1999

SB 103, introduced by Franklin

SB 107, introduced by Mahlum

SB 186, introduced by Wells

SB 258, introduced by Grimes

SB 289, introduced by Doherty

SB 304, introduced by Hargrove

SB 319, introduced by Holden

SB 326, introduced by Tester

Senate joint resolutions passed and transmitted to the House for concurrence:

2/9/1999

SJR 5, introduced by Tester

SJR 7, introduced by Bohlinger

House bill concurred in and returned to the House:

2/9/1999

HB 55, introduced by Peck

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 576, introduced by D. Adams, S. Bartlett, P. Bergsagel, L. Grosfield, M. McCann, J. Wells, referred to Judiciary.

HB 577, introduced by B. Story, T. Beck, P. Clark, M. Hanson, J. Holden, G. Jergeson, R. Lenhart, M. Lindeen, K. Mesaros, S. Rose, B. Tash, referred to Agriculture.

HB 578, introduced by S. Anderson, M. Halligan, referred to State Administration.

HB 579, introduced by P. Sliter, referred to Local Government.

HB 580, introduced by T. Schmidt, E. Franklin, referred to Human Services.

HB 581, introduced by J. Cobb, referred to Business and Labor.

HB 582, introduced by B. Story, referred to Taxation.

HB 583, introduced by B. Thomas, S. Bartlett, P. Bergsagel, B. Crippen, S. Doherty, A. Ellis, D. Haines, M. Hanson, J. Harp, H. Harper, D. Hedges, C. Hibbard, R. Holden, S. Kitzenberg, L. McCulloch, L. Nelson, K. Ohs,

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B. Rehbein, S. Rose, P. Sliter, C. Squires, B. Tash, F. Thomas, B. Wilson, referred to Human Services.

HB 584, introduced by C. Juneau, R. Buzzas, A. Curtiss, S. Kitzenberg, R. Lenhart, M. McCann, L. McCulloch, G. Roush, F. Smith, C. Williams, referred to Education.

HB 585, introduced by R. Jore, referred to State Administration.

HB 586, introduced by R. Dale, D. Fuchs, S. Rose, B. Tash, referred to Fish, Wildlife and Parks.

HB 587, introduced by J. Stovall, C. Ahner, J. Barnett, B. Davies, L. Grinde, M. Hanson, B. Molnar, D. Mood, S. Orr, P. Sliter, L. Taylor, J. Witt, T. Zook, referred to Judiciary.

HB 588, introduced by B. Lawson, referred to Education.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 20, introduced by J. Quilici, J. Andersen, T. Facey, D. Fuchs, K. Galvin-Halcro, K. Gillan, J. Holden, S. Kitzenberg, B. Lawson, M. Lindeen, J. Mangan, G. Masolo, L. McCulloch, J. McKenney, M. Noennig, S. Rose, A. Walters, D. Wyatt, (by the request of the House Education Committee), referred to Education.

HJR 21, introduced by B. Lawson, J. Andersen, T. Facey, D. Fuchs, K. Galvin-Halcro, K. Gillan, J. Holden, S. Kitzenberg, M. Lindeen, J. Mangan, G. Masolo, L. McCulloch, J. McKenney, M. Noennig, B. Rehbein, S. Rose, A. Walters, D. Wyatt, referred to Education.

HJR 22, introduced by G. Masolo, D. Adams, C. Ahner, J. Andersen, J. Barnett, M. Brainard, R. Brown, E. Clark, R. Clark, J. Cobb, A. Curtiss, T. Facey, S. Fisher, D. Fuchs, K. Galvin-Halcro, D. Grimes, L. Grinde, D. Haines, D. Hedges, J. Holden, V. Jackson, S. Kitzenberg, B. Krenzler, J. Mangan, L. McCulloch, D. McGee, J. Mercer, B. Molnar, D. Mood, M. Noennig, R. Peck, J. Quilici, S. Rose, B. Ryan, B. Simon, P. Sliter, F. Smith, R. Somerville, J. Stovall, E. Swanson, L. Taylor, F. Thomas, C. Tuss, A. Walters, C. Williams, D. Wyatt, T. Zook, referred to Human Services.

HJR 23, introduced by M. Lindeen, D. Adams, C. Ahner, J. Andersen, S. Anderson, J. Barnett, B. Barnhart, S. Bartlett, G. Beck, T. Beck, E. Bergsagel, P. Bergsagel, D. Berry, A. Bishop, R. Bitney, J. Bohlinger, S. Bookout-Reinicke, M. Brainard, R. Brown, R. Buzzas, C. Christiaens, E. Clark, P. Clark, R. Clark, J. Cobb, V. Cocchiarella, M. Cole, B. Crippen, W. Crismore, A. Curtiss, B. Davies, T. Dell, B. DePratu, G. Devlin, S. Doherty, D. Eck, B. Eggers, J. Ellingson, A. Ellis, R. Erickson, D. Ewer, T. Facey, S. Fisher, E. Franklin, D. Fuchs, S. Gallus, K. Galvin-Halcro, K. Gillan, B. Glaser, G. Golie, D. Grimes, L. Grinde, L. Grosfield, M. Guggenheim, G. Gutsche, T. Hagener, D. Haines, M. Halligan, M. Hanson, D. Hargrove, J. Harp, H. Harper, D. Harrington, D. Hedges, J. Hertel, C. Hibbard, J. Holden, R. Holden, J. Hurdle, R. Jabs, V. Jackson, G. Jergeson, R. Johnson, R. Jore, C. Juneau, B. Kasten, T. Keating, B. Keenan, S. Kitzenberg, B. Krenzler, B. Lawson, R. Lenhart, J. Lynch, D. Mahlum, J. Mangan, G. Masolo, G. Matthews, M. McCann, B. McCarthy, L. McCulloch, D. McGee, J. McKenney, R. Menahan, J. Mercer, K. Mesaros, A. Mohl, B. Molnar, D. Mood, L. Nelson, M. Noennig, K. Ohs, S. Orr, B. Pavlovich, R. Peck, J. Quilici, B. Raney, B. Rehbein, S. Rose, G. Roush, B. Ryan, T. Schmidt, D. Shea, J. Shockley, B. Simon, P. Sliter, F. Smith, L. Soft, R. Somerville, M. Sprague, C. Squires, S. Stang, B. Story, J. Stovall, E. Swanson, C. Swysgood, B. Tash, L. Taylor, M. Taylor, J. Tester, B. Thomas, F. Thomas, D. Toews, C. Trexler, J. Tropila, C. Tuss, D. Wagner, A. Walters, M. Waterman, J. Wells, C. Williams, B. Wilson, J. Witt, D. Wyatt, C. Younkin, T. Zook, referred to Natural Resources.

HJR 24, introduced by C. Juneau, B. Eggers, S. Kitzenberg, R. Lenhart, M. McCann, G. Roush, F. Smith, C. Williams, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Trexler in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 12 - Representative Juneau moved **HJR 12** be adopted. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 84

Noes: Adams, P. Bergsagel, Bitney, Davies, Jackson, Jore, Kasten, Molnar, Orr, Rehbein, Sliter, Vick, Wagner, Walters.

Total 14

Voted Absentee: Ohs, Aye.

Excused: Ahner.

Total 1

Absent or not voting: Fisher.

Total 1

SJR 2 - Representative Johnson moved **SJR 2** be adopted. Motion carried as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Fuchs, Jore, McGee, Orr, Rehbein, Story, Vick, Wagner.

Total 8

Voted Absentee: Ohs, Aye.

Excused: Ahner.

Total 1

Absent or not voting: None.

Total 0

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HB 6 - Representative McCann moved **HB 6** do pass. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, P. Bergsagel, Jore, Orr, Pavlovich, Peck, Vick.

Total 7

Voted Absentee: Ohs, Aye.

Excused: Ahner.

Total 1

Absent or not voting: Bitney.

Total 1

HB 8 - Representative McCann moved **HB 8** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, P. Bergsagel, Brainard, R. Clark, Jore, Orr, Rehbein, Vick, Wagner.

Total 9

Voted Absentee: Ahner, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: Bitney.

Total 1

HB 437 - Representative Kasten moved **HB 437** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke,

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Brainard, Brown, Buzzas, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: P. Bergsagel, Jore, Orr, Rehbein.

Total 4

Voted Absentee: Ahner, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: E. Clark, Cobb, McCann, Rose.

Total 4

HB 442 - Representative Stovall moved **HB 442** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Barnhart, P. Bergsagel, Brainard, Jackson, McGee, Soft, Thomas, Trexler, Wagner.

Total 9

Voted Absentee: Ahner, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 419 - Representative McCulloch moved **HB 419** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood,

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Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Williams, Younkin, Zook.

Total 71

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, R. Clark, Curtiss, Davies, Fisher, Fuchs, Grinde, Hanson, Jore, Kasten, McGee, Molnar, Orr, Rehbein, Story, Taylor, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Mr. Speaker.

Total 29

Voted Absentee: Ahner, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 74 - Representative Mood moved **HB 74** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: Adams, P. Bergsagel, Brainard, R. Clark, Davies, Jackson, Jore, Kasten, Orr, Rehbein, Vick.

Total 11

Voted Absentee: Ahner, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Trexler moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood,

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Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Barnhart, Jore, Rehbein.

Total 3

Excused: Ahner, Brown, Ohs.

Total 3

Absent or not voting: P. Clark, Hibbard, Trexler.

Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 236 passed as follows:

Ayes: Ahner, S. Anderson, Barnett, Bitney, Bookout-Reinicke, Brown, Cobb, Dale, Davies, Eggers, Ewer, Fisher, Fuchs, Gillan, Grinde, Guggenheim, Hagener, Haines, Hedges, Hibbard, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Matthews, McCulloch, Menahan, Molnar, Mood, Pavlovich, Peck, Quilici, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Witt, Younkin, Mr. Speaker.

Total 51

Noes: Adams, J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dell, Erickson, Facey, Gallus, Galvin-Halcro, Golie, Gutsche, Hanson, Harper, Harrington, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Mangan, Masolo, McCann, McGee, McKenney, Noennig, Ohs, Orr, Raney, Rehbein, Ryan, Story, Stovall, Swanson, Tash, Taylor, Wagner, Williams, Wyatt, Zook.

Total 48

Voted Absentee: Ahner, Aye; Ohs, No.

Excused: None.

Total 0

Absent or not voting: Holden.

Total 1

HB 334 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch,

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McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Jore, McGee, Orr.
Total 3

Voted Absentee: Ahner, Ohs, Ayes.

Excused: None.
Total 0

Absent or not voting: Gallus.
Total 1

HB 430 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Witt, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Adams, P. Bergsagel, Dale, Jore, McGee, Orr, Rehbein, Walters.
Total 8

Voted Absentee: Ahner, Ohs, Ayes.

Excused: None.
Total 0

Absent or not voting: Curtiss, Younkin.
Total 2

HJ 15 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 97

Noes: Jore, Orr.

Total 2

Voted Absentee: Ahner, Ohs, Ayes.

Excused: None.

Total

Absent or not voting: Trexler.

Total 1

SB 11 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Ahner, Ohs, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 21 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

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Noes: P. Bergsagel, Jore, Rehbein, Vick.
Total 4

Voted Absentee: Ahner, Ohs, Ayes.

Excused: None.
Total 0

Absent or not voting: E. Clark, Holden.
Total 2

SB 77 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 59

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Holden, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.
Total 41

Voted Absentee: Ahner, Ohs, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Curtiss requested on **HB 142**, 3rd reading yesterday, Legislative Day 32, that her vote be shown as yes. There being no objections, so ordered.

Representative Mood requested on **SB 11**, 3rd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Quilici requested on **SB 77**, 3rd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Jackson requested on **SB 77**, 3rd reading today, that his vote be changed from no to yes. There being no objections, so ordered.

ANNOUNCEMENTS

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Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House recess until 2:00 p.m., Wednesday, February 10, 1999. Motion carried.

House recessed at 1:00 p.m.

House reconvened at 2:00 p.m.

Representative Grinde moved that following the joint session, the House adjourn and reconvene at 1:00 p.m, Thursday, Legislative Day 34, February 11, 1999. Motion carried.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Meuli escorted the Senate into the House Chamber.

Speaker Mercer introduced President Crippen and yielded the Chair to him.

Senator Harp moved that the body resolve itself into a joint session for the purpose of receiving the State of Indian Nations Address from George Heavy Runner, Secretary of the Tribal Council of the Blackfeet Nation. Motion carried.

Senator Harp moved that President Crippen be authorized to appoint a committee of four to notify the Tribal Council of the Blackfeet Nation that the House was in joint session and ready to receive the State of Indian Nations Address. Motion carried.

President Crippen appointed Senators Jabs and Roush and Representatives Juneau and Stovall and discharged them to escort the Secretary and dignitaries into the House Chamber.

Sergeants-at-Arms Meuli and Cramer escorted the Secretary of the Tribal Council of the Blackfeet Nation and dignitaries into the House Chamber.

President Crippen introduced the representatives of the respective Indian nations and greeted them in their native tongues.

Tony Awtin Incashola, director of the Salish and Kootenai Cultural Committee, gave the Invocation.

Pledge of Allegiance to the Flag.

After being introduced by President Crippen the Northern Cheyenne Singers performed a song.

After being introduced by President Crippen, George Heavy Runner, Secretary of the Tribal Council of the Blackfeet Nation, delivered the following address:

**GEORGE HEAVY RUNNER, SECRETARY
BLACKFEET TRIBAL BUSINESS COUNCIL
TRIBAL NATIONS ADDRESS TO THE MONTANA STATE LEGISLATURE
FEBRUARY 10, 1999**

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Thank you very much. Speaker Mercer, President Crippen, members of the Legislature, tribal leaders, honored guests: It is indeed an honor to come back to the well of the House to address the legislature on behalf of the first people of this state to give the State of the Tribal Nations Address.

Let me begin by recognizing the people in the gallery who have come a long way in support of the Tribal Nations Address and rally in the Capitol Rotunda. Can you please stand up for a brief moment so that you can be recognized? You didn't think I was going to come here alone without backup now, did you?

This afternoon I stand before you as a former member of this body who fully understands your responsibilities as legislators in fulfilling your sworn oath under the Constitution of the State of Montana.

The good people of this state have elected you to look out for their interests; to protect the sovereignty of this state; to provide governmental services; to take care of the land for future generations; and create an economy that provides hope for families to have decent paying jobs in raising the next generations of Montana.

Why do I point this out to you today? Because I too have been elected to another governing body and have taken a similar oath to do the very things that are spelled out in our constitution. It's called tribal government. It's a government that has been around since time immemorial. Our United States Government recognizes this unique historical legal relationship which is set forth in the Constitution of the United States, treaties, statutes, and court decisions.

Although we differ as elected officials on cultural, political and legal fronts, we share a commonality with you in doing what's right for our people.

Today, I would like to share with you an insight into the everyday challenges and issues that face tribally elected officials from the nations of the Blackfeet, the Crow, the Chippewa Cree, the Fort Belknap, the Fort Peck, the Northern Cheyenne, and the Salish and Kootenai, and the Little Shell.

One of the most pressing issues we tribal leaders face is maintaining, to the best of our ability, the right to govern our own affairs and our territories, which is better known as tribal sovereignty. This inherent right to exist as a sovereign nation is probably the single most important issue that we face every day and spend our few precious resources to defend our rights at the state and national level. Funds that should be going towards providing essential governmental services, creating employment, or protecting our environment, instead are rerouted to pay for costly legal expenses against the barrage of court cases that seek to blend us into the fabric of American society by the process of adjudication.

If it's not the courts that are commanding our attention, it's the time and energy we have to spend educating the new leadership that comes to Washington regarding tribal sovereignty. It's very frustrating to constantly have to revalidate your right to exist as a people.

Let me try to give you an insight about tribal sovereignty and what it means to us. We don't believe sovereignty gives us special treatment or to acquire a special status that is unfair to the rest of America. You see, in the Indian mind, tribal sovereignty is not just a legal term or political definition. It is our sense of identity. It is who we are and who we belong to as diverse tribal communities. It's what enables us to survive and look at the world based upon our rich cultural heritage.

Even your ancestors migrated to America with their own cultural perspectives and fundamental beliefs that has transcended into state sovereignty. Look at your constitution. To have someone come along and change all that with a stroke of a pen or the pounding of a gavel, somehow seems to fly into the face of what your forefathers intended

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this country to be.

So my friends, the next time you hear or see tribes getting a little emotional and bent out of shape because there is an affront to their sovereignty, you now know why it is more than just defending a legal term or political status. I believe my good friend Rep. Stovall and Senator Burns can attest to that with their recent experience last year.

In the interest of time, I will not go into other issues such as water rights, taxation, jurisdiction, or gaming. I would like to recommend a process a little later on how we might approach those subjects as lawmakers.

I would like to quickly cover some of the legislation that you will consider this session that tribes are in support of or are opposed to: HB 34-Tribal College Non-beneficiary bill-Rep. Stovall; HB 412-Bill to remove the squaw language from state markers, sites and Maps; HJ. Resolution-Proposal to create a Commission of Indian Affairs.

The tribes are very concerned and oppose legislative efforts to amend the State-Tribal Cooperative Agreement Act or terminate present agreements. It is our view that you don't try to fix something that's not broken. This law has been one of the few legislative mechanisms that works. Ask your Governor.

In 1978, President Nixon was unveiling his Indian self-determination act to Congress, which was essentially designed to allow tribes to have some control over their fate through the sovereignty process. Here is what he said in his opening paragraph:

"The first Americans, the Indians are the most deprived and isolated minority group in our nation. On virtually every scale of measurement, employment, income, education, health, the condition of the Indian people ranks at the bottom. This condition is the heritage of centuries of injustice. Even the federal programs which are designed to meet their needs have frequently been proven to be ineffective and demeaning."

21 years later, those words ring true. Time has stood still in Indian Country and it will continue if we don't seek other ways as tribal leaders to move our nation forward.

Clearly, tribal governments cannot do this alone. It will take the cooperation of tribal, federal, and state government, along with the private sector to break the cycle of poverty.

Why should state government assist? Because we too are citizens of this state. We vote in all the elections. We contribute to the economy as taxpayers and consumers. We are used as part of the head counting system as Montana goes to the trough of federal funding. We are your friends and neighbors. More importantly, as the largest minority body and at least 10% of the overall population, we deserve no less.

Let me make a few recommendations in how we might go about addressing this challenge together.

First, I recommend that during this session, you take a serious look at Rep. Eggers' proposal which seeks to identify problems, solutions, and funding to reduce unemployment on our reservations and foster business activity and manufacturing.

Second, I would request you work with Governor Racicot in adding an addendum to the long-range economic development to include Indian economies as part of the solution and not the problem. When was the last time there was any serious legislative initiative to assess how the tribe's human and natural resources could factor into the overall economic growth of this state?

Lastly, I believe it's time that the legislative leadership and tribal leadership get together and have some constructive dialogue about tribal-state relations. Who knows what solutions we may reach if we put our heads together? Right

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now, our constructive dialogue consists of an annual 45 minute speech every two years where we talk and you listen, I hope.

Is that going to be our formal relationship for the next century? I sincerely hope not.

I find myself a very fortunate person today in being the tribe's messenger to a group of esteemed leaders that I consider a family after having served with you. You know what I mean. Now, I have joined another special family of tribal leaders in Montana.

It has always been one of my goals to bring these two families together. To begin a process of healing and putting aside those issues that have divided us for many years. If we can begin to lead by example and follow the words of Martin Luther King that we should not judge each other by the color of our skin, but by the content of our character, perhaps there is hope for our future generations in the next century.

Let us stand together as leaders and build that kind of future for our children. Thank you for listening and may God bless.

President Crippen introduced Burton Pretty-On-Top who performed a traditional pipe ceremony and then delivered the benediction.

The committee escorted the Secretary of the Tribal Council of the Blackfeet Nation and the representatives of the other Indian nations from the House Chamber.

Senator Harp moved that the joint session of the 56th legislature be adjourned. Motion carried.

House adjourned at 3:20 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
THIRTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
February 11, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Tropila. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Galvin-Halcro and Rose. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/11/1999
Correctly printed: **HB 128, HB 173, HB 191, HB 258, HB 274, HB 349, HB 352, HB 353, HB 387, HB 398, HB 407, HB 414, HB 418, HB 435, HB 479, HB 504, HB 522, HB 523, HJR 16, HJR 17, SB 9, SB 171.**
Correctly engrossed: **HB 6, HB 8, HB 74, HB 419, HB 437, HB 442, HJR 12, SJR 2.**
Correctly enrolled: **HB 29, HB 30, HB 35, HB 51, HB 80, HB 254, HB 284.**
Examined by the sponsor and found to be correct: **HB 29, HB 30, HB 35, HB 51, HB 80, HB 254, HB 284.**
Signed by the Speaker at 5:20 p.m., February 10, 1999: **HB 55.**

APPROPRIATIONS (Zook, Chairman): 2/11/1999
HB 34, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Strike: "IMMEDIATE"

Strike: "AND AN APPLICABILITY PROVISION"

2. Page 1, lines 17 and 18.

Following: "(4)."

Strike: the remainder of line 17 through "year." on line 18

Insert: "the regents shall provide to each tribal community college an amount equal to \$1,500 for each resident nonbeneficiary full-time equivalent student enrolled in that tribal community college during the previous year."

3. Page 2, line 10.

Strike: "prorated"

Following: "distributed"

Insert: "as derived from the formula established in subsection (2)"

4. Page 2, lines 18 and 19.

Strike: "-- applicability" on line 18.

Following: "effective" on line 18

Strike: the remainder of line 18 through "year" on line 19

Insert: "July 1, 1999"

And, as amended, do pass. Report adopted.

HB 133, introduced bill, be amended as follows:

1. Title, line 8.

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Strike: "\$3,546"

Insert: "\$3,461"

Strike: "\$3,688"

Insert: "\$3,513"

2. Title, line 10.

Strike: "\$4,868"

Insert: "\$4,821"

Strike: "\$4,966"

Insert: "\$4,869"

3. Title, line 12.

Strike: "\$21,500"

Insert: "\$25,000"

4. Title, line 13.

Strike: "TO \$25,000"

5. Title, line 14.

Strike: "\$204,000"

Insert: "\$202,000"

6. Title, line 15.

Strike: "\$208,080"

Insert: "\$204,020"

Following: "2001;"

Insert: "APPROPRIATING \$13 MILLION FOR FISCAL YEAR 2000 FOR SCHOOL BUILDING MAINTENANCE, CONSTRUCTION, AND RECONSTRUCTION, TECHNOLOGY ACQUISITION, TEXTBOOKS, CLASSROOM SUPPLIES, AND LIBRARY MATERIALS;"

Strike: "SECTION"

Insert: "SECTIONS"

7. Title, line 16.

Following: "20-9-306"

Insert: "AND 20-9-375"

8. Page 2, line 13.

Strike: "\$204,000"

Insert: "\$202,000"

9. Page 2, line 14.

Strike: "\$21,500"

Insert: "\$25,000"

10. Page 2, line 18.

Strike: "\$21,500"

Insert: "\$25,000"

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11. Page 2, line 20.

Strike: "\$204,000"

Insert: "\$202,000"

12. Page 3, line 2.

Strike: "\$4,868"

Insert: "\$4,821"

13. Page 3, line 6.

Strike: "\$3,546"

Insert: "\$3,461"

14. Page 3, line 12.

Strike: "\$3,546"

Insert: "\$3,461"

15. Page 3, line 15.

Strike: "\$4,868"

Insert: "\$4,821"

16. Page 4, line 11.

Strike: "\$208,080"

Insert: "\$204,020"

17. Page 4, line 18.

Strike: "\$208,080"

Insert: "\$204,020"

18. Page 4, line 30.

Strike: "\$4,966"

Insert: "\$4,869"

19. Page 5, line 4.

Strike: "\$3,688"

Insert: "\$3,513"

20. Page 5, line 10.

Strike: "\$3,688"

Insert: "\$3,513"

21. Page 5, line 13.

Strike: "\$4,966"

Insert: "\$4,869"

22. Page 5, line 16.

Insert: "Section 3. Section 20-9-375, MCA, is amended to read:

"20-9-375. Aid for building maintenance, construction, and reconstruction, technology acquisition, textbooks, classroom supplies, or library materials, and building maintenance."(1) ~~The Pursuant to this section,~~
~~the~~ superintendent of public instruction shall allocate the amount appropriated in [section 4] for building maintenance,

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construction, and reconstruction, technology acquisition, textbooks, classroom supplies, or library materials, and building maintenance to each district based on the per-ANB of the district.

(2) The district may deposit ~~the all or a portion of the funds~~ received under ~~this section~~ subsection (1) in the miscellaneous programs fund authorized in 20-9-507, the building fund authorized in 20-9-508, or the technology acquisition fund authorized in 20-9-533.

(3) ~~Any portion of the funds~~ Funds deposited in the miscellaneous programs fund ~~must be restricted~~ may be used only for building maintenance, construction, or reconstruction, technology acquisition, textbooks, classroom supplies, or library materials, and building maintenance.

(4) Funds deposited in the building fund must be used consistent with the requirements of 20-9-508.

(5) ~~Any portion of the funds~~ Funds deposited in the technology acquisition fund must be used consistent with the requirements of 20-9-533."

Insert: "NEW SECTION. Section 4. Appropriation. There is appropriated from the general fund to the office of public instruction, \$13 million for the school fiscal year beginning July 1, 1999, for the purposes provided for in [section 3]."

23. Page 5, line 23.

Following: "["

Strike: "Section"

Insert: "Sections"

Following: "1"

Insert: "and 3"

Strike: "terminates"

Insert: "terminate"

And, as amended, do pass. Report adopted.

HB 347, introduced bill, be amended as follows:

1. Title, lines 8 through 11.

Following: "TEXTBOOKS," on line 8

Insert: "CLASSROOM SUPPLIES,"

Following: "MATERIALS;" on line 8

Strike: remainder of line 8 through "ACCOUNT;" on line 11

2. Title, line 11.

Following: "ACCOUNT;"

Insert: "INCREASING THE TOTAL PER-ANB FOR AN ELEMENTARY SCHOOL DISTRICT OR A K-12 DISTRICT ELEMENTARY PROGRAM TO \$3,546 FOR SCHOOL FISCAL YEAR 2000 AND TO \$3,688 FOR SCHOOL FISCAL YEAR 2001; INCREASING THE TOTAL PER-ANB ENTITLEMENT FOR A HIGH SCHOOL DISTRICT OR A K-12 DISTRICT HIGH SCHOOL PROGRAM TO \$4,868 FOR SCHOOL FISCAL YEAR 2000 AND TO \$4,966 FOR SCHOOL FISCAL YEAR 2001; INCREASING THE BASIC ENTITLEMENT FOR EACH ELEMENTARY DISTRICT OR K-12 DISTRICT ELEMENTARY PROGRAM TO \$25,000 FOR SCHOOL FISCAL YEARS 2000 AND 2001; INCREASING THE BASIC ENTITLEMENT FOR EACH HIGH SCHOOL DISTRICT OR K-12 DISTRICT HIGH SCHOOL PROGRAM TO \$204,000 FOR SCHOOL FISCAL YEAR 2000 AND TO \$208,080 FOR SCHOOL FISCAL YEAR 2001; APPROPRIATING MONEY FOR PER-ANB AND BASIC ENTITLEMENT INCREASES AND SPECIAL EDUCATION;"

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3. Title, line 12.

Strike: "15-35-108,"

Strike: "17-7-502,"

Insert: "20-9-306,"

4. Page 1, line 26.

Following: ", "

Insert: "for the purchase of classroom supplies,"

Strike: "; and"

Insert: ". "

5. Page 1, line 27 through page 2, line 5.

Strike: page 1 line 27 through page 2, line 5 in their entirety

6. Page 2, line 9 through page 9, line 5.

Strike: everything after the enacting clause

Insert: "**Section 1.** Section 17-5-703, MCA, is amended to read:

"**17-5-703. Coal severance tax trust funds.** (1) The trust established under Article IX, section 5, of the Montana constitution is composed of the following funds:

(a) a coal severance tax bond fund into which the constitutionally dedicated receipts from the coal severance tax must be deposited;

(b) a treasure state endowment fund;

(c) a coal severance tax permanent fund;

(d) a coal severance tax income fund; and

(e) a coal severance tax school bond contingency loan fund.

(2) (a) The state treasurer shall determine, on July 1 of each year, the amount necessary to meet all principal and interest payments on bonds payable from the coal severance tax bond fund during the next 12 months and retain that amount in the coal severance tax bond fund.

(b) The amount in the coal severance tax bond fund in excess of the amount required in subsection (2)(a) must be transferred from that fund as provided in subsections (3) through (5).

(3) (a) ~~On January 21, 1992, and continuing as~~ As long as any school district bonds secured by state loans under 20-9-466 are outstanding, the state treasurer shall from time to time and as provided in subsection (3)(b) transfer from the coal severance tax bond fund to the coal severance tax school bond contingency loan fund any amount in the coal severance tax bond fund in excess of the amount that is specified in subsection (2) to be retained in the fund.

(b) The state treasurer shall transfer the amount referred to in subsection (3)(a) until and unless the balance in the coal severance tax school bond contingency loan fund is equal to the amount due as principal of and interest on the school district bonds secured by state loans under 20-9-466 during the next following 12 months.

(4) (a) Beginning July 1, 1993, and ending June 30, 2013, the state treasurer shall quarterly transfer to the treasure state endowment fund 50% of the amount in the coal severance tax bond fund in excess of the amount that is specified in subsection (2) to be retained in the fund and in excess of amounts that are transferred pursuant to subsection (3).

(b) The state treasurer shall monthly transfer from the treasure state endowment fund to the treasure state endowment special revenue account the amount of earnings required to meet the obligations of the state that are payable from the account in accordance with 90-6-710. Earnings not transferred to the treasure state endowment special revenue account must be retained in the treasure state endowment fund.

(5) Any amount in the coal severance tax bond fund in excess of the amount that is specified in subsection (2)(a) to be retained in the fund and that is not otherwise allocated under this section must be deposited in the coal severance tax permanent fund.

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(6) The state treasurer shall transfer \$50 million from the coal severance tax permanent fund to the superintendent of public instruction on July 1, 1999, and on July 1, 2000, for distribution to school districts as provided in 20-9-375."

Insert: "Section 2. Section 20-9-306, MCA, is amended to read:

"20-9-306. Definitions. As used in this title, unless the context clearly indicates otherwise, the following definitions apply:

- (1) "BASE" means base amount for school equity.
- (2) "BASE aid" means:
 - (a) direct state aid for 40% of the basic entitlement and 40% of the total per-ANB entitlement for the general fund budget of a district; and
 - (b) guaranteed tax base aid for an eligible district for any amount up to 40% of the basic entitlement, up to 40% of the total per-ANB entitlement budgeted in the general fund budget of a district, and up to 40% of the special education allowable cost payment.
- (3) "BASE budget" means the minimum general fund budget of a district, which includes 80% of the basic entitlement, 80% of the total per-ANB entitlement, and up to 140% of the special education allowable cost payment.
- (4) "BASE budget levy" means the district levy in support of the BASE budget of a district, which may be supplemented by guaranteed tax base aid if the district is eligible under the provisions of 20-9-366 through 20-9-369.
- (5) "BASE funding program" means the state program for the equitable distribution of the state's share of the cost of Montana's basic system of public elementary schools and high schools, through county equalization aid as provided in 20-9-331 and 20-9-333 and state equalization aid as provided in 20-9-343, in support of the BASE budgets of districts and special education allowable cost payments as provided in 20-9-321.
- (6) "Basic entitlement" means:
 - (a) ~~\$200,000~~ \$204,000 for each high school district;
 - (b) ~~\$18,000~~ \$25,000 for each elementary school district or K-12 district elementary program without an approved and accredited junior high school or middle school; and
 - (c) the prorated entitlement for each elementary school district or K-12 district elementary program with an approved and accredited junior high school or middle school, calculated as follows:
 - (i) ~~\$18,000~~ \$25,000 times the ratio of the ANB for kindergarten through grade 6 to the total ANB of kindergarten through grade 8; plus
 - (ii) ~~\$200,000~~ \$204,000 times the ratio of the ANB for grades 7 and 8 to the total ANB of kindergarten through grade 8.
- (7) "Direct state aid" means 40% of the basic entitlement and 40% of the total per-ANB entitlement for the general fund budget of a district and funded with state and county equalization aid.
- (8) "Maximum general fund budget" means a district's general fund budget amount calculated from the basic entitlement for the district, the total per-ANB entitlement for the district, and up to 153% of special education allowable cost payments.
- (9) "Over-BASE budget levy" means the district levy in support of any general fund amount budgeted that is above the BASE budget and below the maximum general fund budget for a district.
- (10) "Total per-ANB entitlement" means the district entitlement resulting from the following calculations:
 - (a) for a high school district or a K-12 district high school program, a maximum rate of ~~\$4,773~~ \$4,868 for the first ANB is decreased at the rate of 50 cents per ANB for each additional ANB of the district up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB;
 - (b) for an elementary school district or a K-12 district elementary program without an approved and accredited junior high school or middle school, a maximum rate of ~~\$3,410~~ \$3,546 for the first ANB is decreased at the rate of 20 cents per ANB for each additional ANB of the district up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and
 - (c) for an elementary school district or a K-12 district elementary program with an approved and accredited junior high school or middle school, the sum of:

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(i) a maximum rate of ~~\$3,410~~ \$3,546 for the first ANB for kindergarten through grade 6 is decreased at the rate of 20 cents per ANB for each additional ANB up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and

(ii) a maximum rate of ~~\$4,773~~ \$4,868 for the first ANB for grades 7 and 8 is decreased at the rate of 50 cents per ANB for each additional ANB for grades 7 and 8 up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB." "

Insert: "Section 3. Section 20-9-306, MCA, is amended to read:

"20-9-306. Definitions. As used in this title, unless the context clearly indicates otherwise, the following definitions apply:

(1) "BASE" means base amount for school equity.

(2) "BASE aid" means:

(a) direct state aid for 40% of the basic entitlement and 40% of the total per-ANB entitlement for the general fund budget of a district; and

(b) guaranteed tax base aid for an eligible district for any amount up to 40% of the basic entitlement, up to 40% of the total per-ANB entitlement budgeted in the general fund budget of a district, and up to 40% of the special education allowable cost payment.

(3) "BASE budget" means the minimum general fund budget of a district, which includes 80% of the basic entitlement, 80% of the total per-ANB entitlement, and up to 140% of the special education allowable cost payment.

(4) "BASE budget levy" means the district levy in support of the BASE budget of a district, which may be supplemented by guaranteed tax base aid if the district is eligible under the provisions of 20-9-366 through 20-9-369.

(5) "BASE funding program" means the state program for the equitable distribution of the state's share of the cost of Montana's basic system of public elementary schools and high schools, through county equalization aid as provided in 20-9-331 and 20-9-333 and state equalization aid as provided in 20-9-343, in support of the BASE budgets of districts and special education allowable cost payments as provided in 20-9-321.

(6) "Basic entitlement" means:

(a) ~~\$200,000~~ \$208,080 for each high school district;

(b) ~~\$18,000~~ \$25,000 for each elementary school district or K-12 district elementary program without an approved and accredited junior high school or middle school; and

(c) the prorated entitlement for each elementary school district or K-12 district elementary program with an approved and accredited junior high school or middle school, calculated as follows:

(i) ~~\$18,000~~ \$25,000 times the ratio of the ANB for kindergarten through grade 6 to the total ANB of kindergarten through grade 8; plus

(ii) ~~\$200,000~~ \$208,080 times the ratio of the ANB for grades 7 and 8 to the total ANB of kindergarten through grade 8.

(7) "Direct state aid" means 40% of the basic entitlement and 40% of the total per-ANB entitlement for the general fund budget of a district and funded with state and county equalization aid.

(8) "Maximum general fund budget" means a district's general fund budget amount calculated from the basic entitlement for the district, the total per-ANB entitlement for the district, and up to 153% of special education allowable cost payments.

(9) "Over-BASE budget levy" means the district levy in support of any general fund amount budgeted that is above the BASE budget and below the maximum general fund budget for a district.

(10) "Total per-ANB entitlement" means the district entitlement resulting from the following calculations:

(a) for a high school district or a K-12 district high school program, a maximum rate of ~~\$4,773~~ \$4,966 for the first ANB is decreased at the rate of 50 cents per ANB for each additional ANB of the district up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB;

(b) for an elementary school district or a K-12 district elementary program without an approved and accredited junior high school or middle school, a maximum rate of ~~\$3,410~~ \$3,688 for the first ANB is decreased at the rate of 20 cents per ANB for each additional ANB of the district up through 1,000 ANB, with each ANB in

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excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and

(c) for an elementary school district or a K-12 district elementary program with an approved and accredited junior high school or middle school, the sum of:

(i) a maximum rate of ~~\$3,410~~ \$3,688 for the first ANB for kindergarten through grade 6 is decreased at the rate of 20 cents per ANB for each additional ANB up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and

(ii) a maximum rate of ~~\$4,773~~ \$4,966 for the first ANB for grades 7 and 8 is decreased at the rate of 50 cents per ANB for each additional ANB for grades 7 and 8 up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB."

Insert: "Section 4. Section 20-9-375, MCA, is amended to read:

"20-9-375. Aid Investment for building maintenance, construction, and reconstruction, technology acquisition, textbooks, classroom supplies, and library materials, and building maintenance. (1) The Pursuant to this section, the superintendent of public instruction shall allocate the amount transferred from 17-5-703(6) and appropriated for building maintenance, construction, and reconstruction, technology acquisition, textbooks, classroom supplies, or library materials, and building maintenance to each district based on the per-ANB of the district. A school district, by resolution of the board of trustees, is not required to accept an allocation of funds transferred under 17-5-703(6). Funds that are not accepted are redeposited in the permanent coal tax trust fund.

(2) The district may deposit ~~the all or a portion of the~~ funds received under ~~this section subsection (1)~~ in the miscellaneous programs fund authorized in 20-9-507, the building fund authorized in 20-9-508, or the technology acquisition fund authorized in 20-9-533.

(3) ~~Any portion of the funds~~ Funds deposited in the miscellaneous programs fund ~~must be restricted may be used only for building maintenance, construction, or reconstruction, technology acquisition, textbooks, classroom supplies, or library materials, and building maintenance.~~

(4) Funds deposited in the building fund must be used consistent with the requirements of 20-9-508.

(5) ~~Any portion of the funds~~ Funds deposited in the technology acquisition fund must be used consistent with the requirements of 20-9-533.

(6) The end-of-year balance of any funds deposited in the miscellaneous programs fund, building fund, or technology acquisition fund pursuant to this section may be carried forward but may not be transferred to another fund."

Insert: "NEW SECTION. Section 5. Appropriation. (1) The money transferred from the coal severance tax permanent fund in 17-5-703(6) is appropriated to the superintendent of public instruction for the purposes provided in 20-9-375 as follows:

School fiscal year 2000	\$50 million
School fiscal year 2001	\$50 million

(2) There is appropriated from the general fund \$12,673,007 for the school fiscal year beginning July 1, 1999, and \$24,256,000 for the school fiscal year beginning July 1, 2000, to fund the per-ANB and basic entitlement increases provided for in [sections 2 and 3].

(3) There is appropriated from the general fund \$5.2 million for the biennium beginning July 1, 1999, to the office of public instruction for special education."

Insert: "NEW SECTION. Section 6. Three-fourths vote required. Because [this act] appropriates money from the coal severance tax trust fund, Article IX, section 5, of the Montana constitution requires a vote of three-fourths of the members of each house of the legislature for passage."

Insert: "NEW SECTION. Section 7. Effective dates -- applicability. (1) Except as provided in subsection (2), [this act] is effective July 1, 1999, and applies to school budgets for school fiscal years beginning on or after July 1, 1999.

(2) [Section 3] is effective July 1, 2000, and applies to school budgets for school fiscal years beginning on or after July 1, 2000."

Insert: "NEW SECTION. Section 8. Termination. [Section 2] terminates June 30, 2000."

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And, as amended, do pass. Report adopted.

HB 406, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "BASE FUNDING"

Insert: "STATE PAYMENTS FOR SCHOOL CAPITAL PROJECTS"

2. Title, line 8.

Following: "FUND;"

Insert: "CREATING A SCHOOL CAPITAL PROJECTS ACCOUNT IN THE STATE SPECIAL REVENUE FUND; STATUTORILY APPROPRIATING MONEY FROM THE SCHOOL CAPITAL PROJECTS ACCOUNT;"

Following: "17-6-308,"

Strike: "AND 20-9-307,"

Insert: "17-7-502, 20-9-343, 20-9-346, 20-9-367, 20-9-369, 20-9-370, AND 20-9-371,"

3. Page 1, line 11.

Following: the enacting clause

Insert: "NEW SECTION. Section 1. School capital projects -- calculation -- purpose. (1) The state payment for school capital projects for a district is the school capital projects entitlement determined in 20-9-370(1) times (1-(district mill value per ANB/statewide mill value per ANB)).

(2) The purpose of the state payment for school capital projects is to finance school district costs associated with the acquisition, remodeling, and replacement of facilities and equipment. The trustees of the district may deposit the state payment for school capital projects in the debt service fund in 20-9-438 or in the district building fund in 20-9-508."

Insert: "NEW SECTION. Section 2. School capital projects account -- statutory appropriation. There is an account in the state special revenue fund called the school capital projects account. Ninety percent of the interest and earnings on the education trust fund, as provided in 17-6-308(3), must be deposited in the account and is statutorily appropriated, pursuant to 17-7-502, for the state payment for school capital projects."

Renumber: subsequent sections

4. Page 4, line 22.

Strike: "state general fund"

Insert: "school capital projects account established in [section 2]"

Strike: "BASE" through "3"

Insert: "state payments for school capital projects as provided in [section 1]"

5. Page 5, line 2 through line 22.

Strike: section 3 in its entirety

Insert: "**Section 5.** Section 17-7-502, MCA, is amended to read:

"**17-7-502. (Temporary) Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

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(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 3-5-901; 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-23-706; 15-30-195; 15-31-702; 15-36-324; 15-36-325; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404; 16-1-406; 16-1-411; 16-11-308; 17-3-106; 17-3-212; 17-3-222; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-709; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 20-8-107; 20-8-111; [section 2]; 20-26-1503; 22-3-1004; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 39-71-907; 39-71-2321; 42-2-105; 44-12-206; 44-13-102; 50-4-623; 53-6-703; 53-24-206; 67-3-205; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-1-131; 80-2-103; 80-2-222; 80-4-416; 81-5-111; 82-11-161; 85-20-402; 87-1-513; 90-3-301; 90-4-215; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for supplemental benefit; pursuant to sec. 7(2), Ch. 29, L. 1995, the inclusion of 15-30-195 terminates July 1, 2001; pursuant to sec. 5, Ch. 461, L. 1997, the inclusion of 77-1-131 terminates October 1, 2003; and pursuant to secs. 13, 16(1), Ch. 549, L. 1997, the inclusion of 90-3-301 terminates July 1, 1999.)

17-7-502. (Effective July 1, 2008) Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 3-5-901; 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-23-706; 15-30-195; 15-31-702; 15-36-324; 15-36-325; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404; [16-1-406;] 16-1-411; 16-11-308; 17-3-106; 17-3-212; 17-3-222; 17-5-404; 17-5-804; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-709; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-205; 19-19-305; 19-19-506; 20-8-107; [section 2]; 20-9-361; 20-26-1503; 22-3-1004; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 32-1-537; 37-43-204; 37-51-501; 39-71-503; 39-71-907; 39-71-2321; 42-2-105; 44-12-206; 44-13-102; 50-4-623; 50-5-232; 50-40-206; 53-6-150; 53-6-703; 53-24-206; 60-2-220; 67-3-205; 75-1-1101; 75-5-1108; 75-6-214; 75-5-1108; 75-6-214; 75-11-313; 77-1-505; 80-2-103; 80-2-222; 80-4-416; 81-5-111; 82-11-136; 82-11-161; 85-1-220; 85-20-402; 87-1-513; 90-4-215; 90-6-331; 90-7-220; 90-7-221; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for supplemental benefit; and pursuant to sec. 68(2), Ch. 422, L. 1997, this version becomes effective July 1, 2008.)"

Insert: "Section 6. Section 20-9-343, MCA, is amended to read:

"20-9-343. Definition of and revenue for state equalization aid. (1) As used in this title, the term "state equalization aid" means revenue as required in this section for:

(a) distribution to the public schools for the purposes of payment of systems development and other related costs resulting from the enactment of legislation that requires changes to the automated system used to administer

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the BASE funding program, guaranteed tax base aid, BASE aid, state reimbursement for school facilities, ~~matching funds for the systemic initiative for Montana mathematics and science grant~~ state payments for school capital projects, and grants for school technology purchases;

(b) negotiated payments authorized under 20-7-420(3) up to \$500,000 per biennium; and

(c) the Montana educational telecommunications network as provided in 20-32-101.

(2) The superintendent of public instruction may spend throughout the biennium funds appropriated for the purposes of systems development and other related costs resulting from the enactment of legislation that requires changes to the automated system used to administer the BASE funding program, guaranteed tax base aid, BASE aid for the BASE funding program, state reimbursement for school facilities, state payments for school capital projects, negotiated payments authorized under 20-7-420(3), the Montana educational telecommunications network, and school technology purchases.

(3) The following must be paid into the state general fund for the public schools of the state:

(a) (i) subject to subsection (3)(a)(ii), interest and income money described in 20-9-341 and 20-9-342; and

(ii) an amount of money equal to the income money attributable to the difference between the average sale value of 18 million board feet and the total income produced from the annual timber harvest on common school trust lands during the fiscal year to be appropriated for purposes of 20-9-533;

(b) investment income earned by investing interest and income money described in 20-9-341 and 20-9-342."

Insert: "Section 7. Section 20-9-346, MCA, is amended to read:

"20-9-346. Duties of superintendent of public instruction for state and county equalization aid distribution. The superintendent of public instruction shall administer the distribution of the state and county equalization aid by:

(1) establishing the annual entitlement of each district and county to state and county equalization aid, based on the data reported in the retirement, general fund, and debt service fund budgets for each district that have been adopted for the current school fiscal year and verified by the superintendent of public instruction;

(2) for the purposes of state advances and reimbursements for school facilities, limiting the distribution to no more than the amount appropriated for the school fiscal year to the districts that are eligible under the provisions of 20-9-366 through 20-9-371 by:

(a) determining the debt service payment obligation in each district for debt service on bonds that were sold as provided in ~~20-9-370(3)~~ 20-9-370(5) that qualify for a state advance or reimbursement for school facilities under the provisions of 20-9-366 through 20-9-369 and 20-9-370;

(b) based on the limitation of state equalization aid appropriated for debt service purposes, determining the state advance for school facilities and the proportionate share of state reimbursement for school facilities that each eligible district must receive for the school fiscal year; and

(c) distributing that amount by May 31 of each school fiscal year to each eligible district for reducing the property tax for the debt service fund for the ensuing school fiscal year.

(3) distributing by electronic transfer the BASE aid and state advances for county equalization, for each district or county entitled to the aid, to the county treasurer of the respective county for county equalization or to the county treasurer of the county where the district is located for BASE aid, in accordance with the distribution ordered by the board of public education;

(4) keeping a record of the full and complete data concerning money available for state equalization aid, state advances for county equalization, and the entitlements for BASE aid of the districts of the state;

(5) reporting to the board of public education the estimated amount that will be available for state equalization aid; ~~and~~

(6) for the purposes of state payments for school capital projects, limiting the distribution to the districts that are eligible under the provisions of 20-9-367 to no more than the amount available in the school capital projects account established in [section 2] by:

(a) determining the amount to which school districts are eligible under [section 11];

(b) based on the limitation of money available in the school capital projects account established in [section

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2]. determining the proportionate share that each eligible district must receive; and

(c) distributing the state payment for school capital projects to districts by May 31 of each school year; and

(6)(7) reporting to the office of budget and program planning as provided in 17-7-111:

(a) the figures and data available concerning distributions of state and county equalization aid during the preceding 2 school fiscal years;

(b) the amount of state equalization aid then available;

(c) the apportionment made of the available money but not yet distributed;

(d) the latest estimate of accruals of money available for state equalization aid; and

(e) the amount of state advances and repayment for county equalization."

Insert: "Section 8. Section 20-9-367, MCA, is amended to read:

"20-9-367. Eligibility to receive guaranteed tax base aid, or state advance or reimbursement for school facilities, or state payment for school capital projects. (1) If the district guaranteed tax base ratio of any elementary or high school district is less than the corresponding statewide elementary or high school guaranteed tax base ratio, the district may receive guaranteed tax base aid based on the number of mills levied in the district in support of up to 40% of the basic entitlement, up to 40% of the total per-ANB entitlement, and up to 40% of the special education allowable cost payment budgeted within the general fund budget.

(2) If the county retirement mill value per elementary ANB or the county retirement mill value per high school ANB is less than the corresponding statewide mill value per elementary ANB or high school ANB, the county may receive guaranteed tax base aid based on the number of mills levied in the county in support of the retirement fund budgets of the respective elementary or high school districts in the county.

(3) For the purposes of 20-9-370 and 20-9-371, if the district mill value per elementary ANB or the district mill value per high school ANB is less than the corresponding statewide mill value per elementary ANB or statewide mill value per high school ANB, the district may receive a state advance or reimbursement for school facilities in support of the debt service fund.

(4) For the purpose of a state payment for school capital projects, a district is eligible for a payment if the district mill value per elementary ANB or the district mill value per high school ANB is less than the corresponding statewide mill value per elementary ANB or statewide mill value per high school ANB."

Insert: "Section 9. Section 20-9-369, MCA, is amended to read:

"20-9-369. Duties of superintendent of public instruction and department of revenue. (1) The superintendent of public instruction shall administer the distribution of guaranteed tax base aid by:

(a) providing each school district and county superintendent, by March 1 of each year, with the preliminary statewide and district guaranteed tax base ratios and, by May 1 of each year, with the final statewide and district guaranteed tax base ratios, for use in calculating the guaranteed tax base aid available for the ensuing school fiscal year;

(b) providing each school district and county superintendent, by March 1 of each year, with the preliminary statewide, county, and district mill values per ANB and, by May 1 of each year, with the final statewide, county, and district mill values per ANB, for use in calculating the guaranteed tax base aid, state payments for school capital projects, and state advance and reimbursement for school facilities available to counties and districts for the ensuing school fiscal year;

(c) requiring each county and district that qualifies and applies for guaranteed tax base aid to report to the county superintendent all budget and accounting information required to administer the guaranteed tax base aid;

(d) keeping a record of the complete data concerning appropriations available for guaranteed tax base aid and the entitlements for the aid of the counties and districts that qualify;

(e) distributing the guaranteed tax base aid entitlement to each qualified county or district from the appropriations for that purpose.

(2) The superintendent shall adopt rules necessary to implement 20-9-366 through 20-9-369.

(3) The department of revenue shall provide the superintendent of public instruction by December 1 of each year a final determination of the taxable value of property within each school district and county of the state reported to the department of revenue based on information delivered to the county clerk and recorder as required in 15-10-

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305.

(4) The superintendent of public instruction shall calculate the district and statewide guaranteed tax base ratios by applying the prior year's direct state aid payment. ""

Insert: "Section 10. Section 20-9-370, MCA, is amended to read:

"20-9-370. Definitions. As used in this title, unless the context clearly indicates otherwise, the following definitions apply:

(1) "School capital projects entitlement" means \$121 per ANB for the school fiscal year ending June 30, 2000, and \$122 per ANB for the school fiscal year ending June 30, 2001.

~~(1)(2)~~ "School facility entitlement" means:

(a) \$220 per ANB for an elementary school district;

(b) \$330 per ANB for a high school district; or

(c) \$270 per ANB for an approved and accredited junior high school or middle school.

~~(2)(3)~~ "State advance for school facilities" is the amount of state equalization aid distributed to an eligible district to pay the debt service obligation for a bond in the first school fiscal year in which a debt service payment is due for the bond.

(4) "State payment for school capital projects" means the amount of state equalization aid distributed to a district that has a district mill value per elementary ANB that is less than the corresponding statewide mill value per elementary ANB or a district mill value per high school ANB that is less than the corresponding statewide mill value per high school ANB.

~~(3)(5)~~ "State reimbursement for school facilities" means the amount of state equalization aid distributed to a district that:

(a) has a district mill value per elementary ANB that is less than the corresponding statewide mill value per elementary ANB or a district mill value per high school ANB that is less than the corresponding statewide mill value per high school ANB; and

(b) has a debt service obligation in the ensuing school year on bonds for which the original issue was sold after July 1, 1991.

~~(4)(6)~~ "Total school facility entitlement" means the school facility entitlement times the total ANB for the district. ""

Insert: "Section 11. Section 20-9-371, MCA, is amended to read:

"20-9-371. Calculation and uses of school facility entitlement amount. (1) The state reimbursement for school facilities for a district is the percentage determined in 20-9-346(2)(b) times (1-(district mill value per ANB/statewide mill value per ANB)) times the lesser of the total school facility entitlement calculated under the provisions of 20-9-370 or the district's current year debt service obligations on bonds that qualify under the provisions of ~~20-9-370(3)~~ 20-9-370(5).

(2) The state advance for school facilities for a district is determined as follows:

(a) Calculate the percentage of the district's debt service payment that will be advanced by the state using the district ANB, the district mill value and the statewide mill value for the current year, and the percentage used to determine the proportionate share of state reimbursement for school facilities in the prior year.

(b) Multiply the percentage determined in subsection (2)(a) by the lesser of the total school facility entitlement calculated under the provisions of 20-9-370 or the district's current year debt service obligation for bonds to which the state advance applies.

(3) Within the available appropriation, the superintendent of public instruction shall first distribute to eligible districts the state advance for school facilities. From the remaining appropriation, the superintendent shall distribute to eligible districts the state reimbursement for school facilities.

(4) The trustees of a district may apply the state reimbursement for school facilities to reduce the levy requirement in the ensuing school fiscal year for all outstanding bonded indebtedness on bonds sold in the debt service fund of the district after July 1, 1991. The trustees may apply the state advance for school facilities to reduce the levy requirement in the current school fiscal year for debt service payments on bonds to which the state advance for school facilities applies. ""

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Insert: "NEW SECTION. Section 12. Codification instruction. [Sections 1 and 2] are intended to be codified as an integral part of Title 20, chapter 9, and the provisions of Title 20, chapter 9, apply to [sections 1 and 2]."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Simon, Chairman):
HB 353, introduced bill, be amended as follows:

2/9/1999

1. Page 1, line 30.

Strike: "the approval of the county for any future transfer of the property"

Insert: "the property to be preserved in its present or restored state upon any subsequent transfer"

2. Page 3, line 6.

Strike: "the approval of the city or town for any future transfer of the property"

Insert: "the property to be preserved in its present or restored state upon any subsequent transfer"

And, as amended, do pass. Report adopted.

HB 461, introduced bill, be amended as follows:

2/19/1999

1. Title, line 7.

Following: "37-1-317,"

Insert: "37-68-301,"

Following: "37-68-315,"

Insert: "37-69-301,"

2. Page 1, line 16.

Strike: "9"

Insert: "11"

Strike: "10"

Insert: "12"

3. Page 1, line 22.

Insert: "**Section 2.** Section 37-68-301, MCA, is amended to read:

"37-68-301. License required to engage in electrical work. (1) A person may not engage in or work at the business, trade, or calling of electrical contractor, residential electrician, journeyman electrician, or master electrician in this state until the person has received from the department a license or permit to work as an electrical contractor, residential electrician, journeyman electrician, or master electrician.

(2) A person who has received a license from the department under the provisions of this chapter shall carry the license, or proof of licensure, at all times while working at a job site and performing work that requires a license. Acceptable proof of licensure must be determined by the board and made known to each licensee by the department when a license is issued.

(2)(3) A private or public employment agency or labor union, or an employee thereof, who refers persons for employment by others may not refer a person for employment by others to perform the work of an electrical contractor, residential electrician, journeyman electrician, or master electrician in this state unless the person has received from the department a license or permit to work as an electrical contractor, residential electrician, journeyman electrician, or master electrician."

Renumber: subsequent sections

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4. Page 1, line 26.

Strike: "Fees"

Insert: "Except as provided in subsection (3), fees"

5. Page 1.

Following: line 27

Insert: "(3) A fine collected by an employee of the division of building codes from a person who has been issued a citation for not displaying a license or proof of licensure must be deposited in a fund administered by the division of building codes for the purpose of inspections and building code enforcement."

6. Page 2, line 7.

Strike: "10"

Insert: "12"

7. Page 2.

Following: line 9

Insert: "Section 5. Section 37-69-301, MCA, is amended to read:

"37-69-301. License required -- temporary exception by municipal resolution when licensed plumber not available. ~~Any~~ (1) A person working at the field of plumbing in any incorporated city, town, or in any other area served by a public water supply or a public sewer system in this state, either as a master plumber or as a journeyman plumber, or who while working at the field of plumbing ~~shall connect~~ connects plumbing to or ~~disconnect~~ disconnects plumbing from a public water supply or public sewer system shall first secure a state license as hereinafter provided.

(2) A person who receives a license under the provisions of this chapter shall carry the license, or proof of licensure, at all times while working on a job site and performing work that requires a license. Acceptable proof of licensure must be determined by the board and made known by the department to each licensee when a license is issued.

(3) The council or commission of any city or town or board of directors or managers of a water or sewer district or water utility, in cases where in which a ~~duly~~ licensed person or persons are not reasonably available, may by ordinance, rule, or resolution ~~duly adopted~~ and upon reasonable notice by certified letter to the board of plumbers and upon ~~their~~ its approval, or after 30 days from the date of the postmark of the certified letter if the board fails to respond to the certified letter, authorize the practice in the field of plumbing by a person or persons who have not obtained the state licenses as hereinafter provided until such time as a ~~duly a~~ licensed person ~~or persons are~~ is reasonably available or until the board of plumbers withdraws its authorization."

Renumber: subsequent sections

8. Page 2, line 12.

Following: "fines."

Insert: "(1)"

9. Page 2, line 13.

Following: "chapter"

Insert: ", except as provided in subsection (2),"

10. Page 2, line 15.

Insert: "(2) A fine collected by an employee of the division of building codes from a person who has been issued a citation for not displaying a license or proof of licensure must be deposited in a fund administered by the division of building codes for the purpose of inspections and building code enforcement."

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11. Page 2, line 24.

Strike: "9"

Insert: "11"

12. Page 3, line 25.

Following: "fees "

Insert: ", fines, "

13. Page 4, line 3.

Following: "fees "

Insert: ", fines, "

14. Page 4, line 5.

Following: "fees "

Insert: ", fines, "

15. Page 4, line 16.

Strike: "9"

Insert: "11"

Strike: "10"

Insert: "12"

16. Page 4, line 29.

Strike: "9"

Insert: "11"

17. Page 5, line 12.

Strike: "10"

Insert: "12"

18. Page 5, line 24.

Strike: "contest the citation"

Insert: "demonstrate proof of licensure"

19. Page 5, line 30.

Following: "offense."

Insert: "The person issuing the citation is responsible for determining, by means of an up-to-date list or through telephone or other communication with the person's employer, whether the citation being issued is for a first, second, or subsequent offense."

20. Page 6, lines 3 and 25.

Following: "issuance." in two places

Insert: "The authority may, upon finding that the person has demonstrated acceptable proof of licensure, waive or refund the fine and, in either instance, shall remove from the record required in [section 13] the particular violation in question." in both places

21. Page 6, line 16.

Strike: "contest the citation"

Insert: "demonstrate proof of licensure"

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22. Page 6, line 22.

Following: "offense."

Insert: "The person issuing the citation is responsible for determining, by means of an up-to-date list or through telephone or other communication with the person's employer, whether the citation being issued is for a first, second, or subsequent offense."

23. Page 6, line 28.

Insert: "NEW SECTION. Section 13. Reciprocal duty to share information. (1) A building code compliance officer or an employee of the department shall report to the department in a manner determined by the department each instance that a citation is issued in accordance with [sections 11 and 12].

(2) The department shall keep a record of each reported instance of a citation being issued and share that record as soon as is administratively feasible with the board and with each municipal and county office that bears responsibility for inspections."

Renumber: subsequent sections

24. Page 6, line 29.

Strike: "[Section 9] is"

Insert: "[Sections 11 and 13] are"

25. Page 6, line 30.

Following: "of" in two places

Insert: "Title 37, chapter 69, part 3; and" in both places

26. Page 7, line 1.

Strike: "[section 9]"

Insert: "[sections 11 and 13]"

27. Page 7, line 2.

Strike: "[Section 10] is"

Insert: "[Sections 12 and 13] are"

Following: "of"

Insert: "Title 37, chapter 68, part 3; and"

28. Page 7, line 3.

Following: "of"

Insert: "Title 37, chapter 68, part 3; and"

Strike: "[section 10]"

Insert: "[sections 12 and 13]"

And, as amended, do pass. Report adopted.

HB 501, do pass. Report adopted.

HB 504, do pass. Report adopted.

2/9/1999

HB 512, do pass. Report adopted.

2/10/1999

HB 522, do pass. Report adopted.

2/9/1999

HB 523, introduced bill, be amended as follows:

2/10/1999

1. Page 1, line 14.

Strike: "to the commissioner"

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And, as amended, do pass. Report adopted.

HJR 16, be adopted. Report adopted. 2/9/1999

EDUCATION (Masolo, Chairman): 2/11/1999
HB 509, introduced bill, be amended as follows:

1. Page 2, line 3.
Strike: "not less than one or more"
Insert: "no fewer"

And, as amended, do pass. Report adopted.

JUDICIARY (Clark, Chairman): 2/10/1999
HB 449, do pass. Report adopted.
HB 455, do pass. Report adopted.

LOCAL GOVERNMENT (Ahner, Chairman): 2/10/1999
HB 326, introduced bill, be amended as follows:

1. Title, page 1, line 6.
Following: "GOVERNMENT"
Insert: "IF APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AND IF THE COUNTY AUDITOR IS A CERTIFIED INTERNAL AUDITOR OR CERTIFIED PUBLIC ACCOUNTANT"
2. Page 1, line 28.
Strike: "The"
Insert: "Upon approval by the board of county commissioners, the"
Following: "auditor"
Insert: ", if the auditor is a certified internal auditor or certified public accountant,"

And, as amended, do pass. Report adopted.

HB 338, introduced bill, be amended as follows:

1. Page 1, line 14.
Following: "contract"
Insert: "must be entered into by a county"

2. Page 1, line 16.
Following: "\$50,000"
Insert: "and"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman): 2/11/1999
HB 183, introduced bill, be amended as follows:

1. Title, page 1, line 8.

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Following: "LAWS;"

Strike: "REMOVING" on line 8 through "CONSIDERATION;" on line 9

2. Title, page 1, line 9.

Following: ";"

Insert: "CLARIFYING DREDGE OPERATION EXEMPTIONS;"

3. Title, page 1, line 11.

Following: "DEPOSIT";

Insert: "AUTHORIZING THE DEPARTMENT TO REQUIRE RECLAMATION OF CERTAIN METAL MINES
AFTER 5 YEARS OF INACTIVITY;"

4. Title, page 1, line 11.

Following: "METAL MINE"

Insert: "BONDING AND PUBLIC PARTICIPATION PROVISIONS"

5. Title, page 1, line 14.

Following: "APPLICATION;"

Strike: "PROVIDING" through "PERMITS;"

Insert: "INCREASING ANNUAL REPORTING REQUIREMENTS;"

6. Title, page 1, line 15.

Strike: "82-4-337,"

7. Title, page 1, line 16.

Following: "82-4-423,"

Insert: "82-4-427,"

8. Page 3, lines 20 and 21.

Following: "in" on line 20

Insert: "mining activity that is not exempt from this part pursuant to 82-4-310, that engages in"

Following: "of" on line 20

Strike: "mining or"

9. Page 3, line 21.

Following: "materials"

Insert: ","

10. Page 3, line 23.

Following: ";"

Strike: " "

Insert: ";"

11. Page 3, line 24.

Following: ";"

Strike: " "

Insert: ";"

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12. Page 7, line 5.

Strike: "Except as provided in 82-4-390, a"

Insert: "A"

13. Page 8, lines 4 and 5.

Following: "(1)" on line 4

Strike: "This" on line 4 through "person" on line 5

Insert: "A person is exempt from this part when the person is engaging in a mining activity that"

14. Page 8, line 8.

Strike: "each"

Insert: "any"

15. Page 8, line 10 through line 12.

Strike: subsections (1)(e) and (1)(f) in their entirety

Renumber: subsequent subsections

16. Page 8.

Following: line 16

Insert: "(2) A person is exempt from this part when the person is engaging in a mining activity using a suction dredge if:

(a) the dredge in use has an intake of 4 inches in diameter or less;

(b) the person does not operate the dredge beyond the area of the streambed that is naturally under water at the time of operation; and

(c) the person has obtained for the activity:

(i) project approval pursuant to Title 75, chapter 7, part 1; and

(ii) a discharge permit issued pursuant to 75-5-402."

Renumber: subsequent subsection

17. Page 12, line 1 through page 14, line 9.

Strike: section 5 in its entirety

Renumber: subsequent sections

18. Page 14, line 14.

Strike: "or more than \$2,500"

19. Page 14, line 15.

Following: "disturbed"

Strike: "area"

Insert: "land"

20. Page 14, line 18.

Strike: "Regardless of the limits in this subsection, the"

Insert: "The"

21. Page 14, line 19.

Following: "permit"

Insert: ", including the potential cost of department management, operation, and maintenance of the site upon temporary or permanent operator insolvency or abandonment, until full bond liquidation can be effected"

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22. Page 14, line 23.

Following: "department shall"

Strike: "review"

Insert: "conduct an overview of"

Following: "and shall"

Insert: "conduct a comprehensive bond review at least every 5 years. The department may conduct additional comprehensive bond reviews if, after modification of the reclamation or operation plan, an annual overview, or an inspection of the permit area, the department determines that an increase of the bond level may be necessary. The department shall"

23. Page 15, line 6.

Following: "released"

Insert: "or decreased"

24. Page 15, line 7.

Following: "hearing"

Insert: "and a hearing has been held if requested. The department shall provide reasonable statewide and local notice of the opportunity for a hearing, including but not limited to publishing the notice in newspapers of general daily circulation"

25. Page 15, line 21.

Following: "plan"

Insert: "or as required pursuant to subsection (8)"

26. Page 15, line 29.

Following: "completed,"

Insert: "the department shall provide the public notice and conduct any hearing requested pursuant to 82-4-338. As soon as practicable thereafter,"

27. Page 16, line 29.

Following: "license."

Insert: "(8)(a) If at the time of bond review pursuant to 82-4-338 no mineral extraction or ore processing has occurred on a mine permit area for the past 5 years, the department shall determine whether further suspension of the operation will create conditions that will cause violations of Title 75, chapter 2 or 5, or significantly impair reclamation of disturbed areas. If the department determines in writing that violations of Title 75, chapter 2 or 5, or significant impairment of reclamation will occur, the department shall notify the permittee that the permittee shall, within a reasonable time specified in the notice, abate the conditions or commence reclamation. The department may grant reasonable extensions of time for good cause shown. If the permittee does not abate the conditions or commence reclamation within the time specified in the notice and any extensions, the department shall order either that the condition be abated or that reclamation be commenced.

(b) The permittee may request a hearing on the order by submitting a written request for hearing within 30 days of receipt of the order. A request for hearing stays the order pending a final decision, unless the department determines in writing that the stay will create an imminent threat of significant environmental harm or will significantly impair reclamation."

28. Page 17, lines 3 and 6.

Strike: "mineral"

Insert: "materials"

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29. Page 17, lines 14, 16, and 17.

Strike: "mineral"

Insert: "material"

30. Page 17, line 25.

Strike: "'Minerals'"

Insert: "'Materials'"

31. Page 17, lines 27, 28, and 30.

Page 18, line 5.

Page 20, lines 10, 13 (in two places), 15, 16, 22.

Strike: "minerals" or "minerals"

Insert: "materials"

32. Page 18, lines 12 through 14.

Following: "a report" on line 12

Strike: "showing" on line 12 through "accomplished" on line 14

Insert: "on a form provided by the department, with appropriate maps, that shows:

- (a) any change in ownership or control of the affected land and includes a landowner consent form if a change has occurred;
- (b) any change in personnel who are in charge of the operation or responsible for reclamation;
- (c) any change in any contractors or subcontractors who will be working at the site; and
- (d) all land that has been affected by the operation"

33. Page 18, line 21.

Following: "82-4-434;"

Insert: "and"

34. Page 18, line 24 through line 26.

Strike: " ; and" on line 24 through rule on line 26

35. Page 20.

Following: line 5

Insert: "**Section 12.** Section 82-4-427, MCA, is amended to read:

"**82-4-427. Hearing.** (1) A person who is aggrieved by a final decision of the department is entitled to a hearing within 30 days of the department's decision.

(2) The Montana Administrative Procedure Act governs hearings before the department and judicial review of those decisions ~~of the board under this part.~~"

Renumber: subsequent sections

36. Page 21, line 30.

Following: "\$50"

Insert: "for an application to mine bentonite, clay, scoria, sand, or gravel"

37. Page 24, line 26.

Following: "reclamation plan"

Insert: "or a plan of operations"

Following: "unless the"

Strike: "plan provides"

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Insert: "plans provide"

38. Page 25, line 28.

Strike: "and"

39. Page 25, line 30.

Following: "operation"

Insert: ";

(o) that noise and visual impacts on residential areas will be minimized to the degree practicable through berms, vegetation screens, and reasonable limits on hours of operation; and

(p) that any additional procedures that are necessary, consistent with the purposes of this part, to prevent significant physical harm to the affected land or adjacent land, structures, improvements, or life forms will be implemented"

40. Page 26, line 24.

Following: "force"

Strike: "for a primary term of 10 years or"

41. Page 26, line 26, through page 27, line 7.

Strike: subsection (8) in its entirety

42. Page 28, line 15 and 16.

Strike: "[LC 290]"

Insert: "Senate Bill No. 313"

43. Page 28, line 28.

Strike: "9(6)"

Insert: "8(6)"

44. Page 29, line 1.

Strike: "9(6)"

Insert: "8(6)"

45. Page 29, line 5.

Strike: "[section 9] and [sections 11 through 17]"

Insert: "[sections 8, 10, 11, and 13 through 17]"

46. Page 29, lines 9 through 11.

Strike: subsection (4) in its entirety

And, as amended, do pass. Report adopted.

HB 412, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "COMPILE A LIST OF"

Insert: "IDENTIFY"

2. Title, line 6.

Strike: "AND IDENTIFY THOSE"

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Strike: the second "AND"

3. Title, line 8.

Following: "VANDALISM"

Insert: "; AND PROVIDING FOR APPOINTMENT OF AN ADVISORY GROUP TO DEVELOP REPLACEMENT NAMES AND NOTIFY APPROPRIATE AGENCIES"

4. Page 1, line 13.

Following: "'squaw'"

Insert: "-- advisory group"

Following: "."

Insert: "(1) The coordinator of Indian affairs shall appoint an advisory group that will serve on a volunteer basis to consult with local agencies, organizations, and individuals in developing names to replace present site or geographic names that contain the word "squaw". (2)"

5. Page 1, line 13 through line 18.

Following: "shall" on line 13

Strike: remainder of line 13 through "(3)" line 18

6. Page 1, line 19 through line 20.

Strike: "rename" on line 19 through "(4)" on line 20

Insert: "inform the advisory group of the agency's findings. The agency shall"

7. Page 1, line 21 and line 22.

Strike: "a" on line 21 through "appropriate" on line 22

Insert: "the"

8. Page 1, line 22.

Following: "name"

Insert: "chosen by the advisory group."

9. Page 1, line 22 and line 23.

Strike: ";" on line 22 through "(5)" on line 23

Insert: "(3) The advisory group shall: (a)"

10. Page 1, line 27.

Strike: "(6)"

Insert: "(b)"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

2/10/1999

HB 182, introduced bill, be amended as follows:

1. Page 68.

Following: line 4

Insert: "NEW SECTION. Section 100. Coordination instruction. (1) If House Bill No. 79 and [this act] are both passed and approved, then:

(a) [section 3] of [this act] is void;

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(b) subsection (30) of [section 4] of [this act], amending 19-2-303, must read as follows: "'Retirement system" or "system" means one of the public employee retirement systems enumerated in 19-2-302.'";

(c) [section 21] of [this act], amending 19-3-103, is void; and

(d) [section 24] of [this act], amending 19-3-401, must read as follows:

"Section 24. Section 19-3-401, MCA, is amended to read: **"19-3-401. Membership -- inactive vested members -- inactive nonvested members.** (1) Except as otherwise provided in this chapter, all employees shall become members of the defined benefit plan on the first day of service. Each employer shall file with the board information affecting their employees' status as members ~~of the retirement system~~ as the board may require. An employee may become a member of the defined contribution plan only as provided in [sections 42 through 64 of House Bill No. 791].

(2) A member of the defined benefit plan with at least 5 years of membership service who terminates service and does not take a refund of the member's accumulated contributions is an inactive vested member and retains the right to purchase service and to receive a service retirement benefit subject to the provisions of this chapter.

(3) A member of the defined benefit plan with less than 5 years of membership service who terminates service and leaves the member's accumulated contributions in the pension trust fund is an inactive nonvested member and is not eligible for any benefits from the retirement ~~system~~ plan. An inactive nonvested member is eligible only for a refund of the member's accumulated contributions.

(4) ~~Every employee who reenters service shall become a member unless the employee has had an original election of exemption from membership and the employee's service was not interrupted by a break of more than 1 month. A seasonal employee who has had an original election of exemption from membership is not subject to the requirement regarding the break in service while continuing in the employee's original employment and employed on a seasonal basis, but upon termination of employment to accept new employment or absence of more than 1 month in returning to original employment in any ensuing season, the seasonal employee shall become a member of the retirement system upon reentry.~~ A member of either the defined benefit plan or the defined contribution plan who returns to service within 30 days of termination of service is an active member. Except as otherwise provided in this chapter, a member of either the defined benefit plan or the defined contribution plan who terminates one service but remains in another service or subsequently reenters service is an active member.

(5) Time during which an employee of a school district is absent from service during official vacation is counted as service in determining eligibility for membership under this chapter."

(2) If House Bill No. 119 and [this act] are both passed and approved, then [section 14] of [this act], amending 19-2-602, must read as follows:

"Section 14. Section 19-2-602, MCA, is amended to read: **"19-2-602. Refund of member's contributions on termination of service.** (1) Except as provided in this section, any member whose service has been discontinued, other than by death or retirement, must be paid the member's accumulated contributions ~~at the member's request.~~ on written application by the member and board approval. Prior to termination of service, a member may not receive a refund of any portion of the member's accumulated contributions.

(2) A nonvested member who terminates from service with accumulated contributions of less than \$200 must be paid the accumulated contributions in a lump sum as soon as administratively feasible after termination without a written application from the member.

(3) A nonvested member who terminates from service with accumulated contributions of \$200 to \$5,000 must be paid the accumulated contributions in a lump sum as soon as administratively feasible after termination, unless a written application is made pursuant to subsection (4).

~~(2)(4)~~ Upon the written request application of a terminating member with \$200 or more of accumulated contributions, the ~~division~~ board shall make a direct rollover distribution as allowed under Internal Revenue Code section 401(a)(31) of the eligible portion of a refund of the member's accumulated contributions. The direct rollover distribution must be paid directly to an eligible retirement plan allowed under applicable federal law. The terminating member shall designate the eligible retirement plan on forms provided by the ~~division~~ board. Amounts of the member's accumulated contributions that are not eligible for direct rollover distribution must be paid to the

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terminating member. The terminating member is responsible to correctly designate an eligible retirement plan to receive the direct rollover distribution.

~~(3) The board may, in its discretion, withhold, for not more than 1 year after a member last rendered service, all or part of the member's accumulated contributions if after a previous discontinuance of service the member withdrew all or part of the member's contributions and failed to redeposit the withdrawn amount in the pension trust fund.~~

~~(4) An employer who has an employment-related claim against a terminating member may, within 30 days after the date of termination, submit to the board a written request, signed by the employer and the member, authorizing the payment of all or any part of the accumulated contributions of the member directly to the employer to satisfy the claim in whole or in part. The request, if timely submitted, is sufficient authority for the division to make the direct payment to the employer as part of the member's refund. The total of the payments made to the employer and those made to the member may not exceed the member's accumulated contributions.~~

~~(5) Prior to termination of service, a member may not receive a refund of any portion of the member's accumulated contributions, except that a member who does not complete an installment payment schedule for purchasing service must be paid the member's additional contributions, including any regular interest earned on those additional contributions, upon the member's written request." "~~

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

TAXATION (Hibbard, Chairman):
HB 420, do pass. Report adopted.

2/11/1999

TRANSPORTATION (Anderson, Chairman):
HB 352, introduced bill, be amended as follows:

2/10/1999

1. Page 1, line 10.

Strike: "or right-of-way"

2. Page 1, line 12.

Following: the third "the"

Insert: "nonexclusive"

Strike: "or right-of-way"

3. Page 1, line 12.

Following: "permanent"

Insert: ", nonexclusive"

4. Page 1, line 13.

Following: the first "easement"

Strike: "or right-of-way"

Following: the second "easement"

Strike: "or right-of-way"

5. Page 1, line 14.

Following: "existence"

Strike: ", "

Insert: "of the easement or right-of-way and the"

Following: "purpose"

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Strike: ", "

Following: the second "the"

Insert: "nonexclusive"

Strike: "or right-of-way"

6. Page 1, line 15.

Following: "permanent"

Insert: "nonexclusive"

Strike: "or right-of-way"

7. Page 1, line 16.

Following: "permanent"

Insert: "nonexclusive"

Strike: "or right-of-way"

8. Page 1, line 19.

Strike: "or right-of-way"

9. Page 1, line 21.

Following: the third "the"

Insert: "nonexclusive"

Strike: "or right-of-way"

10. Page 1, line 22.

Following: the first "permanent"

Insert: ", nonexclusive"

Strike: "or right-of-way"

11. Page 1, line 22 through line 23.

Following: the second "permanent" on line 22

Insert: ", nonexclusive"

Following: the first "easement" on line 23

Strike: "or right-of-way"

Following: the second "easement" on line 23

Strike: "or right-of-way"

12. Page 1, line 24.

Following: "existence"

Strike: ", "

Insert: "of the easement or right-of-way and the"

Following: "purpose"

Strike: ", "

Following: the second "the"

Insert: "nonexclusive"

Strike: "or right-of-way"

And, as amended, do pass. Report adopted.

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HB 467, do pass. Report adopted. 2/11/1999

HB 474, do pass. Report adopted. 2/10/1999

SB 133, be amended as follows: 2/11/1999

1. Title, line 15 through line 16.

Strike: "INCREASING" on line 15 through "HIGHWAYS;" on line 16

2. Title, line 18.

Strike: "61-9-415,"

3. Page 2, line 1.

Strike: "-- basic rule"

Strike: "A"

Insert: "Except as provided in 61-8-309, 61-8-310, 61-8-312, and subsection (2) of this section, the speed limit for vehicles traveling:

(a) on a federal-aid interstate highway outside an urbanized area of 50,000 population or more is 75 miles an hour at all times and the speed limit for vehicles traveling on federal-aid interstate highways within an urbanized area of 50,000 population or more is 65 miles an hour at all times;

(b) on any other public highway of this state is 70 miles an hour during the daytime and 65 miles an hour during the nighttime.

(2) The speed limit for vehicles traveling on U.S. highway 93 between the Canadian and Idaho borders is 65 miles an hour at all times. The speed limit imposed by this subsection ceases to be effective if U.S. highway 93 is upgraded to a continuous four-lane highway.

(3) A vehicle subject to the speed limits imposed in subsection (1) traveling on a two-lane road may exceed the speed limits imposed in subsection (1) by 10 miles an hour in order to overtake and pass a vehicle and return safely to the right-hand lane.

(4) Subject to the maximum speed limits set forth in subsections (1) and (2), a"

Renumber: subsequent subsections

4. Page 2, line 3.

Following: "a"

Insert: "reduced"

Strike: "proper"

Insert: "prudent"

5. Page 2, line 9.

Strike: "subsection"

Insert: "subsections"

Following: "(1)"

Insert: "and (2)"

6. Page 2, line 10.

Strike: "[section 3] and"

7. Page 2.

Following: line 17

Insert: "(6) "Daytime" means from one-half hour before sunrise to one-half hour after sunset. "Nighttime" means

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at any other hour."

Renumber: subsequent subsection

8. Page 2, line 26 through page 3, line 13.

Strike: section 3 in its entirety

Renumber: subsequent sections

9. Page 3, line 16.

Strike: "3"

Insert: "2"

10. Page 3, line 21.

Strike: "25"

Insert: "20"

11. Page 3, line 25.

Strike: "3"

Insert: "2"

12. Page 4, line 3.

Strike: "or [section 3]"

13. Page 5, line 4.

Strike: the first " 2 "

Insert: "and"

Strike: ", and [section 3]"

14. Page 5, line 22.

Strike: "or [section 3]"

15. Page 6, lines 1 and 2.

Following: "tractors,"

Insert: "and"

Strike: the third ", " on line 1 through "housetrailer" on line 2

16. Page 6, line 6.

Strike: "75"

Insert: "65"

17. Page 6, line 11.

Strike: "3"

Insert: "2"

18. Page 6, line 16.

Strike: "65"

Insert: "55"

19. Page 6, lines 20 through 21.

Strike: subsection (4) in its entirety

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20. Page 6, line 23 through page 7, line 13.

Strike: section 8 in its entirety

Renumber: subsequent sections

21. Page 8, line 13.

Strike: "4(2)"

Insert: "3(2)"

22. Page 8, lines 21 through 26.

Strike: section 10 in its entirety

Insert: "NEW SECTION. Section 8. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

23. Page 8, line 28 through page 9, line 2.

Strike: "(1)" on page 8, line 28 through "(2)" on page 9, line 1

Strike: "4" on page 9, line 1

Insert: "3"

Strike: "4" on page 9, line 2

Insert: "3"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/10/1999

SB 47, introduced by Swysgood

SB 170, introduced by Taylor

SB 249, introduced by Keating

SB 273, introduced by Jabs

House amendments to Senate bill concurred in:

2/10/1999

SB 55, introduced by Taylor

SB 20 - The Senate failed to concur in House amendments to **SB 20**, authorized the President to appoint the following free conference committee, and requested that the House appoint a like committee to confer on **SB 20**:

2/10/1999

Senator McNutt, Chairman

Senator Beck

Senator Shea

House bills concurred in and returned to the House:

2/10/1999

HB 29, introduced by Ohs

HB 30, introduced by Peck

HB 35, introduced by Ahner

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HB 51, introduced by Harper
HB 80, introduced by Cobb
HB 254, introduced by Somerville
HB 284, introduced by Story

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 589, introduced by L. McCulloch, G. Beck, R. Clark, B. Lawson, D. Mood, S. Rose, referred to Education.
HB 590, introduced by B. Lawson, S. Anderson, B. Barnhart, S. Bookout-Reinicke, R. Clark, B. DePratu, A. Ellis, D. Fuchs, P. Sliter, R. Somerville, C. Younkin, referred to Education.
HB 591, introduced by M. Brainard, referred to Fish, Wildlife and Parks.
HB 592, introduced by C. Hibbard, S. Anderson, S. Bartlett, D. Grimes, T. Keating, W. McNutt, D. Mood, S. Rose, P. Sliter, F. Thomas, B. Wilson, referred to Business and Labor.
HB 593, introduced by H. Harper, M. Noennig, referred to Judiciary.
HB 594, introduced by B. Molnar, referred to Fish, Wildlife and Parks.
HB 595, introduced by R. Jore, referred to Judiciary.
HB 596, introduced by R. Somerville, B. DePratu, C. Hibbard, B. Lawson, M. Taylor, referred to Natural Resources.
HB 597, introduced by J. Stovall, referred to State Administration.
HB 598, introduced by J. Quilici, G. Beck, T. Facey, K. Gillan, J. Harp, D. Harrington, B. Krenzler, M. Lindeen, J. Lynch, D. Mahlum, J. Mangan, W. McNutt, R. Menahan, D. Mood, B. Pavlovich, B. Ryan, D. Shea, B. Simon, P. Sliter, B. Tash, referred to Business and Labor.
HB 599, introduced by L. Taylor, referred to Education.
HB 600, introduced by G. Gutsche, J. Ellingson, K. Galvin-Halcro, S. Kitzenberg, L. Soft, referred to Human Services.
HB 601, introduced by S. Anderson, D. Adams, J. Barnett, G. Beck, S. Bookout-Reinicke, M. Brainard, R. Clark, G. Golie, M. Hanson, D. Hedges, C. Juneau, G. Matthews, F. Smith, R. Somerville, C. Trexler, referred to Transportation.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 25, introduced by K. Gillan, G. Beck, R. Clark, D. Harrington, B. Lawson, L. McCulloch, D. Mood, S. Rose, referred to Transportation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Facey in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 275 - Representative Barnhart moved **HB 275** do pass.

HB 275 - Representative Barnhart moved **HB 275**, second reading copy, be amended as follows :

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1. Title, line 7.

Strike: "BIENNIALLY TO THE LEGISLATURE"

Insert: "ANNUALLY"

2. Page 1, line 30.

Following: "(6)"

Insert: "(a)"

Strike: "a biennial"

Insert: "an annual"

3. Page 2, line 1.

Following: "LEGISLATURE"

Insert: "or an appropriate interim committee"

4. Page 2, line 2.

Strike: "(a)"

Insert: "(i)"

Renumber: subsequent subsections

5. Page 2, line 10.

Following: line 9

Insert: "(b) The report provided for in subsection (6)(a) must be posted in an appropriate electronic forum and format for access by the public."

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 81

Noes: Adams, Brainard, Brown, R. Clark, Davies, Fisher, Jackson, Jore, McGee, Orr, Rehbein, Story, Vick, Wagner, Walters.

Total 15

Voted Absentee: Galvin-Halcro, Aye.

Excused: Rose.

Total 1

Absent or not voting: Gallus, Harrington, Ohs.

Total 3

Motion that **HB 275**, as amended, do pass carried as follows:

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Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Molnar, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Thomas, Tropila, Tuss, Williams, Witt, Wyatt.
Total 59

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Jackson, Jore, Kasten, McGee, McKenney, Mood, Ohs, Orr, Rehbein, Shockley, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Walters, Younkin, Zook, Mr. Speaker.
Total 41

Voted Absentee: Galvin-Halcro, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 269 - Representative Molnar moved **HB 269** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 90

Noes: Buzzas, Ewer, Fisher, Galvin-Halcro, Harper, Mangan, Peck, Schmidt, Simon, Wyatt.
Total 10

Voted Absentee: Rose, Aye; Galvin-Halcro, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 399 - Representative Guggenheim moved **HB 399** do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Buzzas, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck,

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Quilici, Raney, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Stovall, Swanson, Tash, Tropila, Tuss, Williams, Wyatt, Zook.

Total 52

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Davies, Fuchs, Grinde, Hanson, Hedges, Holden, Jackson, Jore, Kasten, Lawson, Masolo, Matthews, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Simon, Somerville, Squires, Story, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Mr. Speaker.

Total 48

Voted Absentee: Galvin-Halcro, Aye; Rose, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 340 - Representative Anderson moved **HB 340** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Masolo, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin.

Total 71

Noes: Adams, Barnhart, Beck, P. Bergsagel, Buzzas, P. Clark, Cobb, Erickson, Gallus, Gillan, Harper, Harrington, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Peck, Schmidt, Squires, Stovall, Swanson, Taylor, Williams, Zook.

Total 28

Voted Absentee: Galvin-Halcro, Rose, Ayes.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 374 - Representative Hurdle moved **HB 374** do pass. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Noennig, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Wyatt, Younkin.

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Total 64

Noes: Adams, Ahner, Barnett, P. Bergsagel, Brainard, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jore, Kasten, Lawson, McKenney, Mood, Ohs, Orr, Pavlovich, Rehbein, Sliter, Story, Stovall, Taylor, Vick, Wagner, Walters, Witt, Zook.

Total 35

Voted Absentee: Galvin-Halcro, Rose, Ayes.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 396 - Representative Masolo moved **HB 396** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Facey, Fisher, Fuchs, Grinde, Guggenheim, Hagener, Haines, Hanson, Hedges, Hibbard, Jackson, Kasten, Kitzenberg, Lenhart, Masolo, Matthews, McGee, McKenney, Mood, Noennig, Ohs, Pavlovich, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 57

Noes: Adams, Barnhart, Beck, P. Bergsagel, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harper, Harrington, Holden, Hurdle, Johnson, Jore, Juneau, Krenzler, Lawson, Lindeen, Mangan, McCann, McCulloch, Menahan, Molnar, Orr, Peck, Quilici, Raney, Ryan, Schmidt, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 42

Voted Absentee: Rose, Aye; Galvin-Halcro, No.

Excused: None.

Total 0

Absent or not voting: Cobb.

Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Facey moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Orr, Pavlovich, Peck, Quilici, Raney, Ryan, Shockley, Simon, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 77

Noes: P. Clark, Ewer, Harper, Jore, Molnar, Rehbein, Squires, Wagner.

Total 8

Excused: Galvin-Halcro, Rose.

Total 2

Absent or not voting: Barnett, Buzzas, Cobb, Curtiss, Grinde, Haines, Lenhart, Noennig, Ohs, Schmidt, Sliter, Tuss, Witt.

Total 13

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 6 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Adams, P. Bergsagel, Brainard, Jore, Orr, Peck, Raney, Vick.

Total 8

Voted Absentee: Galvin-Halcro, Rose, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 8 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Wagner, Walters, Williams, Witt, Wyatt, Younkin,

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Zook, Mr. Speaker.
Total 88

Noes: Adams, P. Bergsagel, Brainard, R. Clark, Jore, Orr, Peck, Raney, Vick.
Total 9

Voted Absentee: Galvin-Halcro, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: Haines, Hurdle, Tuss.
Total 3

HB 74 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 88

Noes: Adams, P. Bergsagel, Brainard, R. Clark, Davies, Jackson, Jore, Kasten, Orr, Rehbein, Vick.
Total 11

Voted Absentee: Galvin-Halcro, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: Tuss.
Total 1

HB 419 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Williams, Younkin, Zook, Mr. Speaker.
Total 74

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Brown, Curtiss, Davies, Fuchs, Grinde, Hanson, Jore, Kasten,

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McGee, Molnar, Mood, Orr, Peck, Rehbein, Sliter, Story, Tuss, Vick, Wagner, Walters, Witt, Wyatt.
Total 26

Voted Absentee: Galvin-Halcro, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 437 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: P. Bergsagel, Jore, Orr, Rehbein.
Total 4

Voted Absentee: Galvin-Halcro, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 442 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 88

Noes: Barnhart, P. Bergsagel, Brainard, P. Clark, Jackson, McGee, Molnar, Soft, Thomas, Trexler, Wagner.
Total 11

Voted Absentee: Galvin-Halcro, Rose, Ayes.

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Excused: None.
Total 0

Absent or not voting: Fisher.
Total 1

HJ 12 adopted as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 84

Noes: Adams, E. Bergsagel, P. Bergsagel, Davies, Fisher, Jackson, Jore, Kasten, Molnar, Orr, Rehbein, Vick, Wagner, Walters.
Total 14

Voted Absentee: Galvin-Halcro, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: Bitney, Sliter.
Total 2

SJ 2 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 93

Noes: Jore, McGee, Orr, Story, Vick, Wagner.
Total 6

Voted Absentee: Galvin-Halcro, Rose, Ayes.

Excused: None.
Total 0

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Absent or not voting: Ewer.
Total 1

MOTIONS

Representative Brown requested that on Legislative Day 33, Wednesday, 2/10/1999, his vote be shown as yes on all bills except **HB 419** where his vote be shown as no. There being no objections, so ordered.

Representative Grinde moved that **HB 575** be taken from the Committee on Local Government and be rereferred to the Committee on Transportation. Motion carried.

Representative Grinde moved that **HB 399** be placed on a future 2nd reading board for the purpose of amendments. Motion carried.

SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HR 2**: Representatives Buzzas, Eggers, Golie, Gutsche, Holden, Stovall, and Williams, and Senator Nelson.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Friday, February 12, 1999. Motion carried.

House adjourned at 2:55 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
THIRTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 12, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by home school student Hannah Darelus. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Erickson, Galvin-Halcro, Gillan, Quilici, and Rose. Quorum present.

Speaker Mercer introduced the pages of the week:

Jacob Liebschutz, Polson
Libby Hellekson, Billings
Shannon Augare, Browning
Amanda Brumwell, Dutton
Charles Denowh, Sidney
Jacob Lund, Scobey
Molly Madden, Helena
Britten Postma, Missoula
Colin Timm, Polson
Anna Prindle, Billings

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/12/1999

BILLS (Rehbein, Chairman): 2/12/1999

Correctly printed: **HB 34, HB 133, HB 182, HB 183, HB 326, HB 338, HB 347, HB 406, HB 412, HB 420, HB 449, HB 455, HB 461, HB 467, HB 474, HB 501, HB 509, HB 512, SB 133.**

Correctly engrossed: **HB 269, HB 275, HB 340, HB 374, HB 396.**

Delivered to the Governor for his approval at 3:45 p.m., February 11, 1999: **HB 55.**

AGRICULTURE (Barnett, Chairman): 2/12/1999

HB 440, introduced bill, be amended as follows:

1. Page 2, line 1 through line 3.

Following: "lions" on line 1

Strike: ", "

Insert: "and"

Following: "bears" on line 1

Strike: ", coyotes," on line 1 through "wolves" on line 3

And, as amended, do pass. Report adopted.

HB 444, introduced bill, be amended as follows:

1. Title, line 15.

Strike: "AND"

2. Title, line 19.

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Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 10, line 21 through line 29.

Strike: "The" on line 21 through "livestock." on line 29

Insert: "The state district taking ~~up such possession of trespassing~~ livestock shall, within 72 hours after taking possession ~~thereof~~, notify ~~said the~~ owner, owners, or person in charge ~~thereof of the livestock~~ by a notice in writing describing ~~said the~~ livestock by number of animals and brands ~~thereon on the livestock~~, if any, the amount of damages claimed to date, and the charge per animal unit per day for caring for and feeding the ~~same livestock thereafter, such charges~~. Charges may not to exceed ~~50 cents~~ \$2 per animal unit per day; ~~and describing by general description~~. The notice must generally describe the location of the premises upon which ~~said where the~~ livestock is held and ~~requiring such~~ require the owner or owners, within 10 days after receiving ~~said the~~ notice, to take ~~said the~~ livestock away after making full payment of all damages and costs of ~~said~~ livestock."

4. Page 13, line 27.

Strike: "constitute"

Insert: "require"

5. Page 16, line 13.

Strike: "may"

Insert: "shall, if it determines that personnel services are required,"

6. Page 17.

Following: line 8

Insert: "NEW SECTION. Section 37. Effective date. [This act] is effective on July 1, 1999."

And, as amended, do pass. Report adopted.

HB 571, do pass. Report adopted.

HR 2, be adopted. Report adopted.

BUSINESS AND LABOR (Simon, Chairman):

2/12/1999

HB 558, do pass. Report adopted.

HJR 24, be adopted. Report adopted.

FISH, WILDLIFE AND PARKS (Wagner, Chairman):

2/12/1999

HB 314, introduced bill, be amended as follows:

1. Title, lines 9 and 10.

Following: "'MAINTENANCE";" on line 9

Strike: "ELIMINATING" on line 9 through "RESIDENTS;" on line 10

2. Title, line 11.

Following: "SITES;"

Insert: "AND"

3. Title, line 12.

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Following: "USE OF"
Insert: "CERTAIN"

4. Title, line 13.

Following: "SITES"
Strike: "; AND AMENDING SECTION 23-1-105, MCA"

5. Page 2, line 23.

Following: "facilities"
Insert: "or replacement of existing facilities with facilities that have less impact on the state park or fishing access site"

6. Page 2, line 28.

Following: "regulations"
Insert: "and of historical, cultural, geographical, and geological features in the area"

7. Page 3, line 4.

Following: "3]"
Insert: ", including new trails, new boat ramps, and necessary new access roads into and within the state park or fishing access site"

8. Page 3, line 12.

Following: "prohibited"
Insert: "except the off-road operation of an off-highway vehicle in a state park or fishing access site when used by a disabled angler for access to surface water for lawful fishing purposes"

9. Page 3, line 14 through page 4, line 3.

Strike: section 4 in its entirety

And, as amended, do pass. Report adopted.

HB 315, introduced bill, be amended as follows:

1. Page 2, line 5.

Strike: "Ashley Lake, ", "Blanchard Lake, ", and "Bootjack Lake, "

2. Page 2, line 6.

Strike: "Ducharne, ", "Frank Lake, Horseshoe Lake-Ferndale, ", and "Loon Lake-Eureka, Loon"

3. Page 2, line 7.

Strike: "Lake-Ferndale, Marle Lake, ", and "Moran Lake, "

4. Page 2, line 8.

Strike: "Savage Lake, Skyles Lake, Sophie Lake, " and "Thompson Chain"

5. Page 2, line 9.

Strike: "of Lakes, "

6. Page 2, line 11.

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Strike: "Brown's Lake," and "Chief Looking Glass,"

7. Page 2, line 13.

Strike: "Harper's Lake,"

8. Page 2, line 16.

Strike: "Upsata Lake,"

9. Page 2, line 17.

Strike: "Browne's Lake,"

10. Page 2, line 21.

Strike: "Harrison Lake,"

11. Page 2, line 23.

Strike: "Meadow Lake,"

12. Page 2, lines 25 and 26.

Strike: "Tizer" on line 25 through "Lakes," on line 26

13. Page 2, line 27.

Strike: "Arod Lake, Bear Lake," and "Big Casino Creek Reservoir,"

14. Page 2, lines 27 and 28.

Strike: "Bynum" on line 27 through first "Reservoir," on line 28

15. Page 2, line 28.

Strike: "Eureka Reservoir, Fitzpatrick"

16. Page 2, line 29.

Strike: "Lake," and "Lower Carter Pond,"

17. Page 2, line 30.

Strike: "Missouri"

18. Page 3, lines 1 and 2.

Strike: "Upper Carter" on line 1 through "Pond," on line 2

19. Page 3, line 5.

Strike: "Broadview Pond,"

20. Page 3, line 9.

Strike: "Bearpaw Lake," and "Cole Ponds, Faber Reservoir,"

21. Page 3, line 12.

Strike: "Gartside Reservoir,"

22. Page 3, lines 13 and 14.

Following: "West," on line 13

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Insert: "and"

Following: "Sisters" on line 13

Strike: remainder of line 13 through "Dam" on line 14

23. Page 3, line 25.

Following: "(b)"

Insert: "new"

24. Page 3, line 27.

Following: "access"

Insert: ", including necessary new access roads into and within the primitive fishing access site"

25. Page 4, line 1.

Following: "character;"

Strike: "and"

26. Page 4, line 3.

Following: "site;"

Insert: "and (iii) to inform the public of historical, cultural, geographical, and geological features in the area;"

27. Page 4.

Following: line 5

Insert: "(g) in-kind replacement of existing facilities or replacement of existing facilities with facilities that have less impact on the primitive fishing site;"

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 316, introduced bill, be amended as follows:

1. Title, lines 4 through 9.

Following: "PARKS AS" on line 4

Strike: remainder of line 4 through "ON" on line 9

Insert: "MOST AT RISK AND AS PRIORITIES FOR"

2. Title, lines 10 and 11.

Following: "ASSETS" on line 10

Strike: remainder of line 10 through "PARKS" on line 11

3. Page 1, line 15.

Following: "Designation of"

Strike: "historical and cultural"

Insert: "certain"

Following: "parks"

Insert: "as priorities for protection, preservation, and restoration"

4. Page 1, line 15 through page 2, line 3.

Following: "parks." on line 15

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Strike: remainder of line 15 on page 1 through "(2)" on page 2, line 3

5. Page 2, lines 5 and 6.

Following: "funding" on line 5

Strike: remainder of line 5 through "5]" on line 6

6. Page 2, line 8 through page 4, line 5.

Strike: sections 2 through 6 in their entirety

Renumber: subsequent section

7. Page 4, line 7.

Strike: "[Sections 1 through 5] are"

Insert: "[Section 1] is"

8. Page 4, line 9.

Strike: "[sections 1 through 5]"

Insert: "[section 1]"

And, as amended, do pass. Report adopted.

HB 379, introduced bill, be amended as follows:

1. Page 3, line 20.

Following: "programs"

Strike: "for the management of"

Insert: "that: (i) manage"

2. Page 3, line 21.

Following: "animals"

Strike: "that may affect a"

Insert: "in a manner that prevents the need for listing under the federal Endangered Species Act, 16 U.S.C. 1531, et seq.; and

(ii) manage"

Following: "species, or"

Insert: "a"

3. Page 3, lines 24 through 28.

Following: "(b)" on line 24

Strike: "remainder of line 24" through "protected" on line 28

Insert: "In maintaining or recovering a listed species, a sensitive species, or a species that is a potential candidate for listing, the department shall seek, to the fullest extent possible, to balance maintenance or recovery of those species with the social and economic impacts of species maintenance or recovery"

And, as amended, do pass. Report adopted.

HB 488, do pass. Report adopted.

HB 533, do pass. Report adopted.

HB 534, do pass. Report adopted.

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JUDICIARY (Clark, Chairman):

2/12/1999

HB 459, introduced bill, be amended as follows:

1. Title, line 7.

Following: "AGREEMENTS;"

Insert: "AND"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "45-8-317"

Insert: "AND 45-8-329"

2. Title, line 7 through line 8.

Strike: "; AND" on line 7 through "MCA" on line 9

3. Page 1, line 12 through page 2, line 9.

Strike: section 1 through section 2 in their entirety

Insert: "Section 1. Section 45-8-317, MCA, is amended to read:

"45-8-317. **Exceptions.** (1) Section 45-8-316 does not apply to:

- (a) any peace officer of the state of Montana;
- (b) any officer of the United States government authorized to carry a concealed weapon;
- (c) a person in actual service as a member of the national guardsman guard;
- (d) a person summoned to the aid of any of the persons named in subsections (1)(a) through (1)(c);
- (e) a civil officer or the officer's deputy engaged in the discharge of official business;
- (f) a probation and parole officer authorized to carry a firearm under 46-23-1002;
- (g) a person issued a permit under 45-8-321 or a person with a permit recognized under 45-8-329;
- (h) an agent of the department of justice or a criminal investigator in a county attorney's office;
- (i) a person who is outside the official boundaries of a city or town or the confines of a logging, lumbering, mining, or railroad camp or who is lawfully engaged in hunting, fishing, trapping, camping, hiking, backpacking, farming, ranching, or other outdoor activity in which weapons are often carried for recreation or protection; or
- (j) the carrying of arms on one's own premises or at one's home or place of business.

(2) ~~Except with~~ With regard to a person issued a permit under 45-8-321, the provisions of 45-8-328 do not apply to this section."

Insert: "Section 2. Section 45-8-329, MCA, is amended to read:

"45-8-329. **Concealed weapon permit reciprocity agreements permits from other states recognized -- advisory council.** (1) ~~The governor may negotiate concealed weapon permit reciprocity agreements with other states that have concealed weapon permit laws similar to those of Montana. A concealed weapon permit from another state is valid in this state if:~~

- (a) the person issued the permit has the permit in the person's immediate possession;
- (b) the person bearing the permit is also in possession of an official photo identification of the person, whether on the permit or on other identification; and
- (c) the state that issued the permit requires a criminal records background check of permit applicants prior to issuance of a permit.

(2) The states from which permits are recognized include, if they require the background check referred to in subsection (1)(c), but are not limited to Alaska, Arizona, Arkansas, Connecticut, Florida, Georgia, Idaho, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Nevada, New Hampshire, New York, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wyoming.

(3) Persons exempt from concealed weapon laws in other states and who may carry a concealed weapon in

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their home state without a permit do not have reciprocity in this state without a valid permit.

(4) A determination or declaration of a Montana government entity, official, or employee is not necessary to the existence and exercise of the right granted by this section.

~~(2)(5)~~ The governor shall establish a council, composed of interested persons, including law enforcement personnel and gun owners, to advise the governor on and pursue ~~reciprocity~~ concealed weapon permit issues ~~and agreements.~~ ""

And, as amended, do pass. Report adopted.

HB 482, do pass. Report adopted.

HB 492, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "CHURCH"

Insert: "PLACE OF WORSHIP"

2. Page 1, line 10.

Strike: "church"

Insert: "place of worship"

3. Page 1, lines 14, 15, 16, and 17.

Strike: "church"

Insert: "place of worship"

4. Page 1, line 19.

Following: "shall be"

Insert: ":

(a) incarcerated for any term not to exceed 6 months or be fined an amount not to exceed \$500, or both, if the damage does not exceed \$1,000; or

(b)"

5. Page 1, line 20.

Strike: "20"

Insert: "10"

Strike: "\$100,000"

Insert: "\$50,000"

Following: "both"

Insert: ", if there is \$1,000 or more of damage"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

2/11/1999

HB 72, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: "PROVISIONS;"

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

Strike: "SECTION"

Insert: "SECTIONS 17-7-502 AND"

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2. Title, page 1, line 10.

Following: "DATE"

Insert: "AND A CONTINGENT TERMINATION DATE"

3. Page 1, line 22.

Following: "contributions"

Insert: "-- termination"

4. Page 1, line 24.

Following: "."

Insert: "The contributions are statutorily appropriated, as provided in 17-7-502, to the pension trust fund. The state contribution provided for in this section terminates when the amortization period for the system's unfunded liability is 10 years or less according to the system's latest actuarial valuation."

5. Page 1, line 27.

Insert: "Section 3. Section 17-7-502, MCA, is amended to read:

"17-7-502. (Temporary) Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 3-5-901; 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-23-706; 15-30-195; 15-31-702; 15-36-324; 15-36-325; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404; 16-1-406; 16-1-411; 16-11-308; 17-3-106; 17-3-212; 17-3-222; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-709; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; section 21; 20-8-107; 20-8-111; 20-26-1503; 22-3-1004; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 39-71-907; 39-71-2321; 42-2-105; 44-12-206; 44-13-102; 50-4-623; 53-6-703; 53-24-206; 67-3-205; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-1-131; 80-2-103; 80-2-222; 80-4-416; 81-5-111; 82-11-161; 85-20-402; 87-1-513; 90-3-301; 90-4-215; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for supplemental benefit; pursuant to sec. 7(2), Ch. 29, L. 1995, the inclusion of 15-30-195 terminates July 1, 2001; pursuant to sec. 5, Ch. 461, L. 1997, the inclusion of 77-1-131 terminates October 1, 2003; and pursuant to secs. 13, 16(1), Ch. 549, L. 1997, the inclusion of 90-3-301 terminates July 1, 1999.)

17-7-502. (Effective July 1, 2008) Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory

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appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 3-5-901; 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-23-706; 15-30-195; 15-31-702; 15-36-324; 15-36-325; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404; [16-1-406;] 16-1-411; 16-11-308; 17-3-106; 17-3-212; 17-3-222; 17-5-404; 17-5-804; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-709; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-205; 19-19-305; 19-19-506; section 21; 20-8-107; 20-9-361; 20-26-1503; 22-3-1004; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 32-1-537; 37-43-204; 37-51-501; 39-71-503; 39-71-907; 39-71-2321; 42-2-105; 44-12-206; 44-13-102; 50-4-623; 50-5-232; 50-40-206; 53-6-150; 53-6-703; 53-24-206; 60-2-220; 67-3-205; 75-1-1101; 75-5-1108; 75-6-214; 75-5-1108; 75-6-214; 75-11-313; 77-1-505; 80-2-103; 80-2-222; 80-4-416; 81-5-111; 82-11-136; 82-11-161; 85-1-220; 85-20-402; 87-1-513; 90-4-215; 90-6-331; 90-7-220; 90-7-221; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for supplemental benefit; and pursuant to sec. 68(2), Ch. 422, L. 1997, this version becomes effective July 1, 2008.)"

Renumber: subsequent sections

6. Page 3.

Following: line 16

Insert: "NEW SECTION. Section 9. Contingent termination. [Sections 2 and 3] terminate when the amortization period for the system's unfunded liability is 10 years or less according to the system's latest actuarial valuation. The teachers' retirement board shall notify the governor and the code commissioner on occurrence of this contingency."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/11/1999

SB 81, introduced by Harp

SB 299, introduced by Hertel

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 602, introduced by C. Squires, V. Cocchiarella, T. Facey, S. Gallus, B. Glaser, M. Halligan, L. McCulloch, B. Raney, C. Williams, referred to Appropriations.

HB 603, introduced by G. Golie, referred to Business and Labor.

HB 604, introduced by G. Golie, referred to Business and Labor.

HB 605, introduced by S. Kitzenberg, referred to Transportation.

HB 606, introduced by S. Anderson, K. Gillan, L. Grosfield, D. Hargrove, J. Hertel, B. Keenan, J. Mangan, A. Mohl, K. Ohs, F. Thomas, C. Younkin, referred to Transportation.

HB 607, introduced by L. Soft, A. Bishop, J. Bohlinger, C. Christiaens, B. Davies, M. Guggenheim, B. Krenzler, J. Quilici, referred to Human Services.

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HB 608, introduced by R. Somerville, J. Bohlinger, R. Buzzas, P. Clark, E. Franklin, H. Harper, G. Jergeson, G. Masolo, R. Peck, S. Rose, D. Shea, L. Soft, referred to Education.

HB 609, introduced by C. Hibbard, C. Christiaens, R. Somerville, referred to Taxation.

HB 610, introduced by K. Ohs, referred to Natural Resources.

HB 611, introduced by G. Golie, referred to State Administration.

HB 612, introduced by B. Ryan, J. Bohlinger, S. Doherty, S. Gallus, G. Golie, M. Guggenheim, J. Hertel, C. Hibbard, S. Kitzenberg, J. Lynch, D. Mood, J. Quilici, J. Stovall, B. Wilson, referred to Appropriations.

HB 613, introduced by J. Mangan, S. Gallus, K. Galvin-Halcro, D. Harrington, S. Kitzenberg, L. McCulloch, R. Menahan, B. Pavlovich, R. Peck, J. Quilici, B. Ryan, referred to State Administration.

HB 614, introduced by D. Wagner, referred to Judiciary.

HB 615, introduced by D. Harrington, S. Gallus, L. Grinde, B. Keenan, G. Matthews, R. Menahan, B. Pavlovich, J. Quilici, B. Ryan, S. Stang, C. Younkin, referred to Business and Labor.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 26, introduced by R. Bitney, P. Clark, A. Curtiss, A. Ellis, G. Golie, J. Harp, M. Lindeen, J. Quilici, P. Sliter, S. Stang, J. Stovall, referred to State/Federal Relations.

Representative Quilici present at this time.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Rehbein in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 9 - Representative Story moved **SB 9** be concurred in. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Gillan, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook.

Total 67

Noes: Barnhart, Beck, P. Bergsagel, Buzzas, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lindeen, Mangan, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Schmidt, Squires, Tropila, Tuss, Wyatt.

Total 32

Voted Absentee: Gillan, Rose, Ayes; Erickson, Galvin-Halcro, Noes.

Excused: None.

Total 0

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Absent or not voting: Mr. Speaker.
Total 1

HB 407 - Representative Younkin moved **HB 407** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.
Total 87

Noes: Buzzas, Ewer, Gallus, Golie, Harper, Hurdle, Krenzler, Mangan, Menahan, Peck, Schmidt, Squires.
Total 12

Voted Absentee: Erickson, Galvin-Halcro, Gillan, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

HB 349 - Representative Thomas moved **HB 349** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.
Total 99

Noes: None.
Total 0

Voted Absentee: Erickson, Galvin-Halcro, Gillan, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

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HB 274 - Representative Hanson moved **HB 274** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Squires, Williams.

Total 2

Voted Absentee: Erickson, Galvin-Halcro, Gillan, Rose, Ayes.

Excused: None.

Total 0

Absent or not voting: Hedges.

Total 1

HB 258 - Representative Cobb moved **HB 258** do pass. Motion carried as follows:

Ayes: J. Andersen, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, McCann, McCulloch, McGee, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Witt, Wyatt, Younkin.

Total 72

Noes: Adams, Ahner, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brown, Curtiss, Davies, Hedges, Jore, Kasten, Krenzler, Lawson, Matthews, Molnar, Mood, Orr, Rehbein, Shockley, Somerville, Taylor, Trexler, Vick, Wagner, Walters, Zook, Mr. Speaker.

Total 28

Voted Absentee: Erickson, Galvin-Halcro, Gillan, Rose, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 171 - Representative Grinde moved consideration of **SB 171** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

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SB 32 - Representative Harrington moved consideration of **SB 32** be passed for the day. Motion carried.

HB 387 - Representative Jore moved **HB 387** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Barnhart, Galvin-Halcro, Pavlovich, Tropila, Tuss, Wyatt.

Total 6

Voted Absentee: Erickson, Gillan, Rose, Ayes; Galvin-Halcro, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 414 - Representative Johnson moved **HB 414** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 96

Noes: P. Bergsagel, Rehbein.

Total 2

Voted Absentee: Erickson, Galvin-Halcro, Gillan, Rose, Ayes.

Excused: None.

Total 0

Absent or not voting: Gutsche, Mr. Speaker.

Total 2

HB 173 - Representative Somerville moved **HB 173** do pass. Motion carried as follows:

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Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, Bitney, Brown, Buzzas, E. Clark, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 70

Noes: Adams, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Haines, Holden, Jore, Kasten, McGee, Molnar, Mood, Orr, Rehbein, Shockley, Sliter, Story, Taylor, Trexler, Vick, Wagner, Walters.

Total 29

Voted Absentee: Erickson, Galvin-Halcro, Gillan, Rose, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnett.

Total 1

HB 398 - Representative Molnar moved **HB 398** do pass. Motion failed as follows:

Ayes: Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Ewer, Facey, Fuchs, Gallus, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hurdle, Jackson, Johnson, Juneau, Krenzler, Lawson, Lenhart, Mangan, McCulloch, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Soft, Squires, Tropila, Tuss.

Total 43

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Brainard, Brown, E. Clark, Cobb, Curtiss, Erickson, Fisher, Galvin-Halcro, Grinde, Hanson, Hedges, Hibbard, Holden, Jore, Kasten, Kitzenberg, Lindeen, Masolo, Matthews, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 57

Voted Absentee: Gillan, Aye; Erickson, Galvin-Halcro, Rose, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Rehbein moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney,

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Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Facey, Gallus, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Wagner, Walters, Wyatt, Younkin, Zook, Mr. Speaker.

Total 81

Noes: P. Clark, Dale, Ewer, Fisher, Fuchs, Jore, Lawson, Mangan, Molnar, Sliter, Tuss, Vick.

Total 12

Excused: Erickson, Galvin-Halcro, Gillan, Rose.

Total 4

Absent or not voting: McCulloch, Williams, Witt.

Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 248 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Noes: R. Clark.

Total 1

Voted Absentee: Erickson, Galvin-Halcro, Gillan, Rose, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 269 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers,

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Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Buzzas, Mangan, Peck, Simon, Wyatt.

Total 5

Voted Absentee: Erickson, Galvin-Halcro, Gillan, Rose, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 340 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lenhart, Masolo, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 79

Noes: Barnhart, Beck, E. Bergsagel, Cobb, Erickson, Gillan, Harper, Krenzler, Lawson, Lindeen, Mangan, Matthews, McCann, McCulloch, Peck, Schmidt, Squires, Stovall, Swanson, Taylor, Williams.

Total 21

Voted Absentee: Galvin-Halcro, Rose, Ayes; Erickson, Gillan, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 374 passed as follows:

Ayes: J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Mood, Noennig, Ohs, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith,

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Soft, Somerville, Squires, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 73

Noes: Adams, Ahner, Barnett, Brainard, R. Clark, Dale, Davies, Fuchs, Grinde, Hanson, Holden, Jore, Kasten, Lawson, McKenney, Orr, Pavlovich, Rehbein, Sliter, Story, Stovall, Taylor, Vick, Wagner, Walters, Witt.

Total 26

Voted Absentee: Erickson, Galvin-Halcro, Gillan, Rose, Ayes.

Excused: None.

Total 0

Absent or not voting: Lindeen.

Total 1

HB 396 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Dale, Davies, Facey, Fisher, Fuchs, Gallus, Grinde, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Jackson, Kasten, Kitzenberg, Masolo, Matthews, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 58

Noes: Adams, Barnhart, Beck, P. Bergsagel, Buzzas, P. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Harper, Holden, Hurdle, Johnson, Jore, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, McCann, McCulloch, Molnar, Orr, Peck, Quilici, Raney, Ryan, Schmidt, Squires, Swanson, Tuss, Williams, Wyatt.

Total 42

Voted Absentee: Rose, Aye; Erickson, Galvin-Halcro, Gillan, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Harrington moved that **HB 249** be printed and placed on 2nd reading.

Representative Buzzas called for the previous question.

Motion failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Curtiss, Dell, Eggers, Ewer, Facey, Gallus, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan,

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Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 41

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 54

Excused: Erickson, Galvin-Halcro, Gillan, Rose.

Total 4

Absent or not voting: Hanson.

Total 1

Representative Grinde moved that **HB 611** be taken from the Committee on State Administration and be rereferred to the Committee on Business. Motion carried.

Representative Grinde moved that **HB 130** be taken from 3rd reading and be placed on 2nd reading. Motion carried.

Representative Hurdle requested on **HB 274**, 2nd reading today, that her vote be changed from no to yes. There being no objections, so ordered.

Representative Juneau requested on **SB 9**, 2nd reading today, that her vote be changed from yes to no. There being no objections, so ordered.

Representative R. Clark requested on **HB 374**, 3rd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 8:00 a.m., Saturday, February 13, 1999. Motion carried.

House adjourned at 3:30 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
THIRTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
February 13, 1999

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Fuchs. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, and Rose. Quorum present.

Speaker Mercer introduced the honorary pages for the day:

Chad Campbell, Kalispell
Corey Campbell, Kalispell
Chase Giacomo, Kalispell
Cailey Anderson, Huson
Jesse Anderson, Huson
Shelby McCann, Harlem

COMMUNICATIONS AND PETITIONS

A JOINT PROCLAMATION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA

WHEREAS, Nadia Ben-Youseff, an esteemed resident of Sidney, Montana and a freshman at Sidney Senior High School, has achieved national recognition for exemplary volunteer service by receiving a 1999 Prudential Spirit of Community Award; and

WHEREAS, this prestigious award, presented by The Prudential Insurance Company of America in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Miss Ben-Youseff earned this award by giving generously over \$6,000 to various children's charities from royalties earned from her poems written over many years and published in book form; and

WHEREAS, the success of the State of Montana, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Nadia Ben-Youseff who use their considerable talents and resources to serve others, the Montana State Legislature is pleased to recognize and honor her talents and generosity.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the congratulations of all Montanans be extended to Nadia Ben-Youseff as a recipient of a Prudential Spirit of Community Award, recognizes her outstanding record of volunteer service, peer leadership and community spirit, and extends best wishes for her continued success and happiness.

Signed by Representatives Mercer, Rehbein, and Swanson, and Senators Crippen, Doherty, and McNutt

REPORTS OF STANDING COMMITTEES

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BILLS (Rehbein, Chairman): 2/13/1999
Correctly printed: **HB 72, HB 241, HB 314, HB 315, HB 316, HB 379, HB 440, HB 444, HB 459, HB 482, HB 488, HB 492, HB 502, HB 533, HB 534, HB 558, HB 571, HJR 24, HR 2.**
Correctly engrossed: **HB 173, HB 258, HB 274, HB 349, HB 387, HB 407, HB 414, SB 9.**
Signed by the Speaker at 9:00 a.m., February 13, 1999: **HB 29, HB 30, HB 35, HB 51, HB 80, HB 254, HB 284.**

APPROPRIATIONS (Zook, Chairman): 2/13/1999
HB 404, do pass. Report adopted.
HB 470, introduced bill, be amended as follows:

1. Page 1, lines 18 and 19.
Following: the second "of" on line 18
Strike: the remainder of line 18 through "calculated" on line 19
Insert: "its historic state expenditures, as defined in 42 U.S.C. 609(a)(7)(B)(iii), governing"

And, as amended, do pass. Report adopted.

HB 480, do pass. Report adopted.
HB 495, do pass. Report adopted.

BUSINESS AND LABOR (Simon, Chairman): 2/12/1999
HB 514, introduced bill, be amended as follows:

1. Title, lines 5 and 6.
Following: "PROVISIONS" on line 5
Strike: the remainder of line 5 through "OR" on line 6

2. Page 1, line 12.
Strike: "contingent payment or"

3. Page 1, line 13.
Strike: ":"

4. Page 1, line 14.
Strike: "(1)"

5. Page 1, line 17.
Strike: "; or"
Insert: "."

6. Page 1, lines 18 through 20.
Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

HB 553, introduced bill, be amended as follows:
1. Title, line 5.

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Strike: "BY RULE"

2. Page 2, line 10.

Strike: "or"

3. Page 2, line 11.

Following: "~~planner,~~"

Insert: " or landscape contractor,"

4. Page 2, line 26.

Strike: "registered"

Insert: "licensed"

5. Page 3, lines 14 through 16.

Strike: subsection (5) in its entirety

And, as amended, do pass. Report adopted.

HB 557, introduced bill, be amended as follows:

1. Page 1, line 29.

Following: "physician"

Insert: "or other health care provider"

2. Page 2, lines 1 through 2.

Following: "claim." on line 1

Strike: the remainder of line 1 through "benefits." on line 2

And, as amended, do pass. Report adopted.

HB 581, introduced bill, be amended as follows:

2/13/1999

1. Title, line 9.

Strike: "AND"

Following: "SECTIONS"

Insert: "18-5-301, 18-5-302, 18-5-303, 18-5-304, 18-5-305,"

Following: "18-5-306"

Strike: "AND"

Insert: ", "

Following: "18-5-307,"

Insert: "AND 18-5-308,"

Following: "MCA"

Insert: "; AND PROVIDING EFFECTIVE DATES"

2. Page 2, line 23.

Following: "**Repealer.**"

Insert: "(1)"

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Following: "repealed."

Insert: "(2) Sections 18-5-301, 18-5-302, 18-5-303, 18-5-304, 18-5-305, and 18-5-308, MCA, are repealed."

3. Page 2.

Following: line 23

Insert: "NEW SECTION. Section 5. Effective dates. (1) [Sections 1 through 4(1) and this section] are effective on passage and approval.

(2) [Section 4(2)] is effective June 30, 2003."

And, as amended, do pass. Report adopted.

EDUCATION (Masolo, Chairman):

2/13/1999

HJR 20, be adopted. Report adopted.

HJR 21, be adopted. Report adopted.

HUMAN SERVICES (Soft, Chairman):

2/13/1999

HB 313, introduced bill, be amended as follows:

1. Page 1, line 25.

Following: "line 24"

Insert: "(4) "Employed" means that a person:

(a) works for wages at least 12 hours a week or the equivalent number of hours for a month at a job in Montana; or

(b) is self-employed in Montana and earns an amount that is at least equal to the amount earned working 15 hours a week at minimum wage."

Renumber: subsequent subsections

2. Page 4, line 3.

Strike: "assigning"

Insert: "turning over"

3. Page 4, line 10.

Strike: "a participating custodial parent must receive"

Insert: "the department shall calculate"

4. Page 4, line 14.

Strike: "\$250"

Insert: "\$200"

5. Page 4, line 15.

Strike: "\$125"

Insert: "\$100"

6. Page 4, line 22.

Strike: "185%"

Insert: "150%"

7. Page 4, line 26.

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Strike: "185%"
Insert: "150%"

And, as amended, do pass. Report adopted.

HB 454, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 2, lines 22 and 23.

Strike: ", less 10 cents for each application to offset administrative costs."

3. Page 2.

Following: line 26

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1999."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

2/12/1999

HB 241, introduced bill, be amended as follows:

1. Page 1, line 15, line 20, and line 21.

Strike: "by electronic mail" in all three places

Insert: "electronically"

2. Page 2, line 2.

Strike: "by electronic mail"

Insert: "electronically"

And, as amended, do pass. Report adopted.

HB 362, do pass. Report adopted.

HB 502, introduced bill, be amended as follows:

1. Page 3, line 6.

Following: " _ "

Insert: "The written material must be prepared in the font and type style required by the secretary of state."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/12/1999

SB 229, introduced by Thomas

SB 245, introduced by Waterman

SB 301, introduced by Keating

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SB 325, introduced by Hertel
SB 348, introduced by Bartlett
SB 352, introduced by Mahlum

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 616, introduced by M. Lindeen, L. Grinde, H. Harper, M. Noennig, B. Raney, P. Sliter, F. Thomas, B. Wilson, referred to State Administration.
HB 617, introduced by K. Ohs, referred to Natural Resources.
HB 618, introduced by C. Ahner, referred to Business and Labor.
HB 619, introduced by G. Golie, referred to Local Government.
HB 620, introduced by C. Tuss, T. Beck, C. Christiaens, D. Mahlum, G. Masolo, J. Tester, J. Tropila, referred to State Administration.
HB 621, introduced by J. Witt, G. Beck, R. Brown, W. Crismore, S. Doherty, J. Ellingson, E. Franklin, D. Fuchs, G. Golie, T. Hagener, D. Haines, J. Holden, T. Keating, M. Lindeen, J. Mangan, J. McKenney, L. Nelson, R. Peck, G. Roush, B. Ryan, T. Schmidt, J. Stovall, J. Tester, J. Tropila, C. Tuss, B. Wilson (by request of the House Joint Appropriations Subcommittee on Natural Resources), referred to Appropriations.
HB 622, introduced by J. Witt, referred to Appropriations.
HB 623, introduced by M. Brainard, referred to State Administration.
HB 624, introduced by J. Mangan, referred to Business and Labor.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 27, introduced by B. Story, D. Adams, J. Barnett, P. Clark, R. Dale, B. Eggers, M. Guggenheim, D. Hedges, J. Holden, J. Hurdle, V. Jackson, R. Lenhart, M. Lindeen, G. Masolo, B. Ryan, F. Smith, B. Thomas, C. Trexler (by request of the House Agriculture Committee), referred to Agriculture.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Kasten in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 13 - Representative McKenney moved **HJR 13** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 93

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Noes: P. Bergsagel, Kasten, Menahan, Orr.
Total 4

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: Grinde, Molnar, Sliter.
Total 3

HJR 14 - Representative Adams moved **HJR 14** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Guggenheim, Juneau, Orr, Tuss.
Total 4

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 522 - Representative Pavlovich moved **HB 522** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Molnar, Mood, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: Adams, Jore, McGee, Orr, Rehbein, Story.
Total 6

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Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: Menahan, Ohs.
Total 2

HB 523 - Representative McKenney moved **HB 523** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Jore, McCann, McGee.
Total 3

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 504 - Representative Grinde moved consideration of **HB 504** be passed for the day. Motion carried.

HB 461 - Representative Simon moved **HB 461** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Beck, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Wyatt, Younkin, Zook.
Total 66

Noes: Adams, S. Anderson, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Cobb, Curtiss, Davies, Fisher, Fuchs, Haines, Holden, Jackson, Johnson, Jore, Kasten, McCann, McGee, Molnar, Orr, Rehbein, Smith, Story, Stovall, Taylor, Vick, Wagner, Walters, Witt.
Total 31

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Voted Absentee: Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Ayes; Bitney, No.

Excused: None.
Total 0

Absent or not voting: Mood, Ohs, Mr. Speaker.
Total 3

HB 512 - Representative Soft moved **HB 512** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook.
Total 85

Noes: Adams, P. Bergsagel, Davies, Hanson, Jore, Kasten, Lawson, Rehbein, Somerville, Vick, Wagner.
Total 11

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Rose, Ayes; Hanson, No.

Excused: None.
Total 0

Absent or not voting: Masolo, Orr, Story, Mr. Speaker.
Total 4

HB 96 - Representative Grinde moved **HB 96** do pass.

HB 96 - Representative Raney moved **HB 96**, second reading copy, be amended as follows :

1. Page 1, line 11.

Strike: "(1)"

2. Page 1, line 16 through line 18.

Strike: subsection (2) in its entirety

Amendment failed as follows:

Ayes: Barnhart, Beck, P. Bergsagel, Bookout-Reinicke, Buzzas, P. Clark, Dell, Eggers, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.
Total 47

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Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hedges, Jackson, Jore, Kasten, Lawson, Masolo, Matthews, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Shockley, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 49

Voted Absentee: Galvin-Halcro, Aye; Brainard, No.

Excused: Bitney, Erickson, Hanson, Rose.
Total 4

Absent or not voting: None.
Total 0

HB 96 - Representative Harper moved **HB 96**, second reading copy, be amended as follows :

1. Page 1.

Following: line 18

Insert: "(3) Agreements negotiated pursuant to subsection (1) must allow for public access to state land."

Amendment failed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Dell, Eggers, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, McCulloch, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Tropila, Tuss, Wagner, Williams, Wyatt.
Total 46

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Masolo, Matthews, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 53

Voted Absentee: Galvin-Halcro, Aye; Bitney, Brainard, Hanson, Rose, Noes.

Excused: Erickson.
Total 1

Absent or not voting: None.
Total 0

Motion that **HB 96** do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McCann, McGee,

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McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 59

Noes: Barnhart, Bookout-Reinicke, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Lindeen, Mangan, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Wagner, Williams, Wyatt.
Total 40

Voted Absentee: Bitney, Brainard, Hanson, Rose, Ayes; Erickson, Galvin-Halcro, Noes.

Excused: None.
Total 0

Absent or not voting: Harrington.
Total 1

HB 267 - Representative Grinde moved consideration of **HB 267** be placed below **HB 435** on the second reading board. Motion carried.

HB 353 - Representative Tash moved **HB 353** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Barnhart, E. Bergsagel, P. Bergsagel, Rehbein.
Total 4

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Kasten moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes, Ahner, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Buzzas, E. Clark, R.

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Clark, Curtiss, Davies, Dell, Eggers, Facey, Fisher, Gallus, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Peck, Quilici, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 77

Noes: P. Clark, Fuchs, Gutsche, Harper, Hurdle, Mangan, Raney, Rehbein, Wagner.

Total 9

Excused: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose.

Total 6

Absent or not voting: J. Andersen, Barnhart, Brown, Cobb, Dale, Ewer, Noennig, Tropila.

Total 8

SPECIAL ORDERS OF THE DAY

Representative Grinde moved that a committee be appointed to escort United States Congressman Rick Hill into the House Chamber.

Speaker Mercer appointed and dispatched the following committee: Representatives Haines and Ryan.

Sergeant-at-Arms Meuli escorted the committee and Congressman Hill into the House chamber.

After being introduced by Speaker Mercer, United States Congressman Rick Hill delivered the following address:

Speaker Mercer, Majority Leader Grinde, Minority Leader Swanson and Members of the Montana House. Thank you for giving me this opportunity to speak with you this morning.

As many of you know, I got my first real look at the workings of the legislative process right here in the Montana Legislature. I had the privilege of working with some of you when I served as one of Governor Racicot's emissaries to the third floor during the 1993 Session. It was often like visiting a foreign country.

I realized as I prepared my remarks that some of you seldom listened to me then -- so I hold out no great hope that you will listen to me now. And, I remember how packed the calendar got as transmittal approached. As a result, I'll keep my remarks brief.

I can empathize with those of you who are new to the Legislature, trying to get a handle on how everything operates. I discovered when I got to Washington DC that my life in Congress would be run by lights and bells.

We have wall clocks in every office that have a series of lights and what are quaintly called bells to tell us when we need to be on the floor. Actually the bells sound more like a cheap alarm clock. The pattern of the lights and bells tells us the nature of the vote.

The opportunity the people of Montana have given me to serve you as your Congressman is one of the most humbling and gratifying experiences of my life. Betti and I try to get home every chance we get because it

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helps us stay grounded.

Since I began my tenure as your Congressman a little over two years ago, we have had about 120 town meetings and forums. We leave Monday morning to do seven more -- out along the high line in Havre and Chinook and Malta, Glasgow and Plentywood, and then back through Sidney and Circle and Glendive and Miles City.

But regardless of where I go, I hear pretty much the same kinds of concerns. Whether I'm in Montana's bigger communities or smaller towns, whether I'm in the east or the west, people want to talk about what we can do to increase the number of good paying jobs.

They want to talk with me about what we can do to strengthen the economy, improve education and lower their taxes. And so that is what I want to visit with you about today.

I sometimes have a hard time explaining to my colleagues in Congress just how big Montana really is. So I ask them to imagine juxtaposing a map of Montana on the eastern United States. I tell them if they placed the town of Troy in our northwestern corner over the city of Chicago, then the town of Alzada in our southeastern corner would be out in the Atlantic south and east of Washington DC.

I try to explain to my colleagues the economic challenges with which the 865,000 of us who live in this vast place must contend.

I try to explain the economy of Montana is like a table with four legs -- agriculture, tourism, natural resources and high tech.

Make no mistake about it. Agriculture remains central to Montana's economy, and Montana agriculture is under pressure. We've accomplished a lot for Montana agriculture in the Congress -- both short-term economic relief and longer term tax relief. I helped lead the fight to reduce unfair taxes on our farming and ranching families by winning the battle for income averaging and reducing capital gains taxes. Senator Burns and I voted to ensure adequate disaster relief for our hard hit producers by backing the Omnibus Budget Bill at the end of the last Congress.

But I know there is still much work to do, particularly since the farm economy has not seen much improvement. We must work for agricultural trade reciprocity with our neighbors to the north. There was much fanfare about the Record of Understanding between the US and Canada announced in early December. The people who negotiated this agreement either don't understand the trade problem or they intentionally disregarded critical issues. We need to improve the transparency of wheat pricing in Canada. It is not acceptable to me that the Canadian Wheat Board continues to resist opening their books while American producers suffer from a steady influx of Canadian grain.

I am a strong advocate of nation of origin labeling, and I am a cosponsor of legislation mandating it. If we can put a label on a package of ground beef telling the customer how to cook it, there is no reason we can't also tell them the country of origin. I believe the U.S. Beef brand has value in the global marketplace, and we ought to help our producers capture that value.

We need to continue looking for ways to reduce our tax burdens and to eliminate death taxes on family businesses. To that end, I will reintroduce legislation in this Congress to convert estate taxes to capital gains, forever ending the death tax.

We must work to improve the crop insurance program so it can make it a more widely available and applicable

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risk management tool. I have discussed developing a bipartisan approach to this issue with Congressman Pomeroy of North Dakota. I am deeply disappointed the President failed to include any funding for crop insurance reform in his budget.

Finally, I am pleased to announce that the Small Business Committee on which I serve has formed a new subcommittee at my request to look at the central importance of agriculture to the small rural communities across our country. We understand here in Montana that when agriculture coughs, Main Street catches the cold. I have been named vice-chairman of this Rural Enterprise Subcommittee, and I will use that position to work to secure the future of our rural communities.

Tourism is the second leg of Montana's economic table. I believe we have some truly unique opportunities ahead of us in the area of tourism and outdoor recreation. Let me talk about just two of them.

We are coming up on the bicentennial of the Lewis and Clark Expedition early in the next century. The Lewis and Clark Expedition is one of the seminal events in the history of our great nation. The bicentennial celebration has already captured the imagination of the American people. Witness the popularity of Stephen Ambrose's book "Undaunted Courage" or Ken Burn's documentary series on PBS.

I have the honor of co-chairing, along with Congressman Pomeroy, the bipartisan Lewis and Clark Caucus. We intend to work with our colleagues in the Congress on directing adequate federal resources to celebrate the bicentennial in the manner it deserves, including money for promoting tourism along the route.

President Clinton and Secretary Babbitt have already tipped their hand. They intend to use the bicentennial as an excuse for more land withdrawals and higher spending for federal agencies. While there may well be currently unprotected sites along the route that deserve protection, I would much rather see the federal dollars allocated to preserving and expanding existing sites, and on local and regional celebrations.

If we fail to take the initiative now, these federal plans may prevail. Other states are looking for state and local resources to contribute to this effort. North Dakota, for example, is asking to spend about \$2 million to promote the bicentennial. I would hope the Montana Legislature would look favorably on funding requests here.

A big part of our attraction for tourists, as well as for those of us who live here, is the hunting and fishing and outdoor recreation we have to offer. We have an opportunity to create an \$18 to \$20 million trust fund to be used for improving wildlife habitat and recreational access throughout the state, but we need your help.

The last Congress passed legislation authorizing homeowners at Canyon Ferry to purchase certain property currently under lease. The next step in the process involves establishing and funding a \$3 million Canyon Ferry - Broadwater County Trust. Establishing this County Trust was essential to my support for the legislation. Many of the benefits gained by the construction of Canyon Ferry came at the expense of the folks on the south end of the lake. They have waited decades to see some economic benefit. It was time we treated them fairly. In the process of crafting the legislation, I sought to fund the County Trust with a small portion of the proceeds of the sales. My point of view did not prevail. So we need to find alternate sources of revenue. The authorizing legislation permits funding part of the County Trust through in-kind contributions, and the Broadwater County Commissioners have indicated at least a preliminary willingness to consider a sizable in-kind component. But, they have also indicated that discharging their operation and maintenance obligations also requires a significant unencumbered cash component. Once the Commissioners have identified the amount and kind of in-kind projects they might accept, I am prepared to work with other members of the Congressional delegation to obtain the necessary funding. The sooner we can identify the federal contributions, the better

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chance we have of working through the federal appropriations process. However, I do not anticipate federal funding alone can meet our goals. I fully expect funding the County Trust will also require significant state and private participation.

The sportsmen and women of Montana have a large stake in seeing this transfer through to completion. Instead of carping from the sidelines, I hope the organizations claiming to represent their interests will step forward to help realize this opportunity. I also urge Governor Racicot and the Legislature to support substantial state funding for the County Trust, so that we can move forward with the transfers and creation of the wildlife account.

The third significant leg to our economic table is responsible resource development. All of us who live here share a deep and abiding love for this place we call home. Our attachment to the land runs nearly as strong in us as our attachment to family. We know we are blessed with an abundance of resources which makes this a special place.

Most of us also understand that our economic heritage is rooted in the development of those resources. While perhaps not as central as it once was, responsible resource development remains a leg without which our economic table becomes shaky. The crux, of course, comes in defining what constitutes responsible development.

Let me give you an example of the potential for responsible resource development. Montana has an unparalleled economic opportunity as a result of the Crown Butte mine buyout several years ago. You will recall President Clinton struck a deal to prevent development of a mine on the northern edge of Yellowstone Park. As part of that buyout, I insisted on -- and the President eventually agreed to -- providing funds for the maintenance of the Beartooth Highway, and the transfer of other federal mineral rights to compensate the people of Montana for the foregone economic opportunity of developing the mine at Crown Butte. The federal land managers here on the ground identified three tracts of coal land for exchange. These land managers, the people who know the resource the best, said these tracts had the greatest potential for development with the least likelihood for environmental impact.

The economic potential from developing these tracts, if they could pass muster under our stringent environmental laws, is truly staggering. Independent economic analysis indicates developing these tracts would create thousands of good paying jobs and return hundreds of millions to the coal tax trust over the next several decades. To be sure, this isn't a done deal. Perhaps development on these tracts would not pass environmental muster. Perhaps the market for supercompliant coal is not as strong as the forecasters predict.

Unfortunately, we may never have a chance to find out. The President apparently has decided to renege on his side of the deal. His most recent budget repeals the mineral rights transfer language. I will do everything I can to block this repeal, but I urge the Legislature to encourage Governor Racicot and Secretary Babbitt to complete the transfer before the end of the federal fiscal year.

In my mind, the fourth and final leg of the economic table is high tech. That is not as far fetched as it may initially sound. And it's not just big projects like the Venture Star, although I do want to commend the Governor and the Legislature for taking steps to remove possible impediments to this project. In addition, Montana's high tech future depends upon dozens of smaller research endeavors, many of them already bubbling inside our universities.

When I visit with my friends from the university system, I remind them that, as publicly funded institutions, they have a responsibility to direct at least some portion of their research efforts into projects that have the near

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term potential of enhancing job creation. They know they will have a better chance of receiving my support for federal funding if they can demonstrate that potential. But I can also tell you, if the researchers don't have support at the state level, federal support becomes immeasurably more difficult.

I served for several years on the Montana Science and Technology Alliance. I know that not every research project results in a technology transferable to the private sector for job creation. And I know that not every technology transfer ultimately results in development of a viable business that actually results in new good paying jobs. But, I also know that if we don't do the research, we certainly won't be able to create high tech jobs.

Let me take just a few more minutes to talk about three major issues that we all must wrestle with in the months ahead -- you here in Helena as well as those of us detailed to Washington, DC. One of those issues is a problem almost none of us saw coming: the politics of budget surpluses.

When I first decided to run for the Congress, I said our biggest challenge was finding a way to balance the budget and begin reducing the deficit. When I first got to Congress, all the debate centered on whether we ought to try to balance the budget in seven years, or should we take a little longer. Two short years later, the federal budget shows a surplus -- at least temporarily.

The politics of the budget surplus are instructive. When we were facing hundred million deficits for as far as the eye could see, no one wanted to accept the responsibility. Now that we have the first surplus in recent memory, everyone is ready to claim credit.

President Clinton says it was his "revenue enhancement" proposals adopted by the Democratic Congress in 1993 that caused the surplus. My Republican colleagues in Congress say no, it was their fiscal responsibility in holding down spending.

In truth, neither had very much to do with it. In truth, we have a federal budget surplus today because of the ingenuity and the hard work of American people. We have a budget surplus today largely because the American economy grew faster, stronger and longer than anyone forecast. The surest way to continue the federal budget surplus is for Congress to stay out of the way of American entrepreneurship.

How we deal with the surplus will be just as instructive. I read a recent report from the Joint Economic Committee that looked at the 108 times we have actually run a federal budget surplus in our nation's history. The news is not encouraging.

The average duration of federal surpluses in this century has been 18 months. No federal budget surplus since World War II has lasted more than 3 years. As the report put it, "If a surge in tax revenues is not returned to the taxpayers, the tendency of the government will be to dissipate it on increased spending." It seems we just can't stand to have any extra money burning a hole in our collective pockets.

In 1998, federal government spending passed the \$2 trillion mark for the first time, and federal tax collections grew twice as fast as the economy as a whole. The federal government collected \$300 billion more in taxes in 1998 than it did in 1996 -- not \$300 billion total, \$300 billion more. As my friend Congressman Cox points out, that's enough to pay for a second Department of Defense, with three new NASAs to spare.

Today the combined tax bite of government at all levels -- local, state and national -- is close to 40 percent -- higher than it has been at any time in our history except during World War II. Last September, the Congressional Policy Advisory Board -- a who's who of Nobel prize winners, economists and academics from across the political spectrum -- advised us that we cannot expect to sustain long run economic growth in the face

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of such a high combined tax burden. They told us the only way to lock in economic prosperity was through growth enhancing tax rate reductions. But quite frankly, at least for me, the economic argument for tax cuts pales beside the moral argument. The question is: whose money is it? Is the surplus the government's money, for us to decide how much to spend and how much to give back? Or is it the people's money?

Several years ago, when Governor Racicot was asked to explain why he wanted to provide a tax rebate, he said, "Because the Montana taxpayer never told us to keep the change." That's a great line. I have unabashedly borrowed it for my own use.

Because whether the source of the surplus is better-than-expected tax collections, or revenues off the sale of the Montana Power generating assets, or tobacco settlement dollars, Governor Racicot was right then, and the same viewpoint is right now. It's not the government's money. It's the people's money. And they never told us to keep the change.

Having said that, let me also say there are some things on which the public expects us to spend their hard earned dollars, and one of those is good quality public education. I believe every child in Montana has the right to a quality education. On that score, we Montanans can be proud of our public schools. Our schools rank right around the national average on per pupil expenditure and classroom size. Our students do well when it comes to most measures of educational success.

No one in this chamber is more ready than I am to spend whatever it takes to ensure Montana kids receive a world class public education, so long as we spend those dollars effectively. That's why I supported, and continue to support, the Dollars to the Classroom Act. The principle behind this legislation is a simple one: it says let's make sure that 90% of every federal dollar we spend on education, we spend in public grade school and high school classrooms. I trust Montana educators -- teachers and principals and local school boards -- to know what is best for Montana kids.

I have a big map of Montana on the wall in my office. When Montana educators stop by, I'll sometimes ask them to point out Culbertson, or Plevna, or Hot Springs. Almost invariably, they get it right. But when I ask the same question of one of the so-called experts at the Department of Education, all I get back is a blank stare. And my question for them is this: If you can't even tell me where Culbertson is, why should I trust you to tell me what is best for Culbertson schools?

In his State of the Union speech a couple of weeks ago, President Clinton offered several new education initiatives. I am prepared to consider some of them. But not until we fully fund the educational mandates we already have in place.

IDEA is a good example. The last Congress reauthorized this program for specially challenged kids. We thought in doing so we reduced the regulatory burden on our schools. That's not how the Clinton administration interpreted our actions. Their rules place additional financial stress on our local districts.

I intend to fight in this Congress for full funding for IDEA. As soon as the President and the Congress fully fund existing mandates, and as soon as we make sure we are getting the dollars we already spend into the classroom where we can actually use them to teach our children, then I'll be prepared to talk about the President's new proposals.

I believe we need to continually look for ways to maintain, and improve on, our educational edge. We need to look for ways to expand parental involvement in their children's education. And we need to look for ways to ensure we get the biggest bang for our education dollar.

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In my opinion, one of the best ways to improve Montana education, and one of the best ways to expand parental involvement, is for you to authorize charter public schools. Open the public school system to choice and competition. Give parents the freedom to send their children to the public school that they choose. Eliminate burdensome state regulations. Allow parents and teachers and local communities to develop innovative ways of delivering more services for the dollar, and then hold them accountable.

Some opponents of charter schools worry that passage of legislation will divert scarce resources away from education. This debate isn't about how much we spend on schools. The question is how we spend it. I firmly believe the closer to the family we can push the decision making, the more dynamic and more responsive our schools will be. Thirty-four states have adopted some form of charter school legislation. I urge my friends in the Montana Legislature to do the same.

Finally, I want to talk about retirement security -- saving Social Security now. Our Social Security system faces an unfunded liability of \$13 trillion. By most estimates, the system that millions of Americans depend upon for economic security in their golden years will start to go broke in the next couple of decades.

For those of you who participated in the debates about Workers' Comp in 1993 and 1995, that phrase -- unfunded liability -- ought to bring a sense of *deja vu* all over again. The steps we need to take to repair our Social Security system are substantially different than what we needed to do to fix Workers' Comp. But I think the process is the same.

Workers Comp is truly one of the public policy success stories in Montana. Sometimes it seems like the legislative process is only equipped to handle the problems that are so big we can't afford not to fix them. We fixed Workers' Comp because we had to.

We fixed Workers' Comp by working together -- Governor Racicot, the staff at the State Fund, private sector participants and legislators on both sides of the aisle. And, if you will indulge me, I am proud of whatever small part I may have played as volunteer chairman of Workers' Comp during those years. What I learned from my experience at Workers' Comp is that the best policy solutions require neither liberals nor conservatives, neither Democrats nor Republicans, to abandon their principles. Rather, the best policy solutions vindicate our shared principles.

If we continue to frame our debates in the same old terms, that will be the result: more debate, more differences. Instead let's reframe the debate. Let's look for principles we can all agree upon, and then let's act on those principles. I suggest that is not as monumental a task as it may seem. Although I often think you do it more effectively and with much less gnashing of teeth, there really isn't all that much difference between what you do here in this chamber and what we do in the Congress. Much of what I know about the legislative process, I learned here. Or perhaps more accurately, much of what I know about the legislative process, you taught me here. And, for every day I participate, I gain a new-found respect for the process and a better appreciation for what you do in it.

For better or for worse, I'm the only Congressman you have, at least for the next couple of years. Please know that I stand ready to do whatever I can to assist you any way you think I can.

Thank you for your attention. Good luck in your deliberation. May God bless you and the state of Montana.

Former Justice Harrison introduced the Eagle Scout Troop of America who is in Helena to give its annual report to the Governor.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Kasten in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 509 - Representative Gutsche moved **HB 509** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Wyatt, Younkin, Mr. Speaker.

Total 77

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, E. Clark, R. Clark, Cobb, Curtiss, Jore, Kasten, McGee, Orr, Rehbein, Story, Taylor, Trexler, Vick, Wagner, Walters, Witt, Zook.

Total 21

Voted Absentee: Bitney, Erickson, Galvin-Halcro, Hanson, Rose, Ayes; Brainard, No.

Excused: None.

Total 0

Absent or not voting: Beck, Fisher.

Total 2

HB 435 - Representative P. Clark moved **HB 435** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 85

Noes: Adams, E. Bergsagel, P. Bergsagel, Brown, Hanson, Holden, Johnson, Jore, Orr, Rehbein, Story, Taylor, Trexler, Vick, Walters.

Total 15

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Rose, Ayes; Hanson, No.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 267 - Representative Molnar moved **HB 267** do pass. Motion carried as follows:

Ayes: Adams, J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harper, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, McCann, McGee, Menahan, Molnar, Peck, Raney, Ryan, Shockley, Sliter, Soft, Somerville, Stovall, Tropila, Tuss, Vick, Wagner.
Total 50

Noes: Ahner, S. Anderson, Barnett, Brown, Buzzas, E. Clark, P. Clark, Eggers, Ewer, Gallus, Grinde, Hagener, Hanson, Harrington, Hedges, Hibbard, Holden, Jore, Kasten, Lindeen, Masolo, Matthews, McCulloch, McKenney, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Schmidt, Simon, Smith, Squires, Story, Swanson, Tash, Taylor, Thomas, Trexler, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 49

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Ayes; Hanson, Rose, Noes.

Excused: None.
Total 0

Absent or not voting: Guggenheim.
Total 1

HB 449 - Representative Hurdle moved **HB 449** do pass. Motion failed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, E. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Smith, Squires, Swanson, Taylor, Tropila, Tuss, Williams, Wyatt, Younkin.
Total 50

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, P. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, McCann, McGee, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 50

Voted Absentee: Erickson, Galvin-Halcro, Ayes; Bitney, Brainard, Hanson, Rose, Noes.

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

HB 183 - Representative Dale moved **HB 183** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Adams, E. Bergsagel, P. Bergsagel, Jore.
Total 4

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 182 - Representative Ahner moved **HB 182** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.
Total 93

Noes: E. Bergsagel, P. Bergsagel, Jore, Orr, Rehbein.
Total 5

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Ayes.

Excused: None.
Total 0

Absent or not voting: Molnar, Mr. Speaker.
Total 2

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HB 474 - Representative Hibbard moved **HB 474** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, P. Bergsagel, Fuchs, Jore, Molnar, Orr, Rehbein, Vick.

Total 8

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Ayes.

Excused: None.

Total 0

Absent or not voting: Witt.

Total 1

HB 455 - Representative Soft moved **HB 455** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, P. Bergsagel, Brainard, Curtiss, Davies, Jore, Orr, Story, Vick, Wagner.

Total 10

Voted Absentee: Bitney, Erickson, Galvin-Halcro, Hanson, Rose, Ayes; Brainard, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 412 - Representative Juneau moved **HB 412** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke,

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Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: Adams, P. Bergsagel, Brainard, Hanson, Jore, Kasten, Orr, Rehbein.
Total 8

Voted Absentee: Bitney, Erickson, Galvin-Halcro, Rose, Ayes; Brainard, Hanson, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 16 - Representative Ewer moved **HJR 16** be adopted.

HJR 16 - Representative Brown moved **HJR 16**, second reading copy, be amended as follows :

1. Page 1, line 15.
Strike: "in Montana"

2. Page 1.
Strike: lines 20 and 21 in their entirety

3. Page 1, line 24.
Following: "union"
Strike: "; and"
Insert: " ."

4. Page 1.
Strike: lines 25 through 27 in their entirety

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 88

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Noes: Gallus, Holden, Menahan, Squires.
Total 4

Excused: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose.
Total 6

Absent or not voting: Mood, Somerville.
Total 2

Motion that **HJR 16**, as amended, do pass carried as follows:

Ayes: Ahner, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.
Total 59

Noes: Adams, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Curtiss, Davies, Fisher, Fuchs, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, McCann, McGee, Noennig, Ohs, Orr, Rehbein, Shockley, Sliter, Soft, Somerville, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 40

Voted Absentee: Bitney, Erickson, Galvin-Halcro, Rose, Ayes; Brainard, Hanson, Noes.

Excused: None.
Total 0

Absent or not voting: Mood.
Total 1

Representatives Schmidt and Taylor excused at this time.

HB 34 - Representative Stovall moved **HB 34** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Williams, Witt, Zook, Mr. Speaker.
Total 81

Noes: Adams, S. Anderson, Davies, Jackson, Johnson, Jore, Kasten, Lawson, Molnar, Noennig, Orr, Shockley, Trexler, Vick, Wagner, Walters, Wyatt, Younkin.
Total 18

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Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Schmidt, Taylor, Ayes.

Excused: None.
Total 0

Absent or not voting: Barnett.
Total 1

HB 338 - Representative Masolo moved **HB 338** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Jore, Kitzenberg, Molnar.
Total 3

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Schmidt, Taylor, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 467 - Representative Hibbard moved **HB 467** do pass. Motion carried as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: J. Andersen, E. Bergsagel, Noennig, Smith.
Total 4

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Schmidt, Taylor, Ayes.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Kasten moved the Committee of the Whole report be adopted.

HB 449 - Representative Hurdle made a substitute motion that **HB 449** be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion failed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.
Total 49

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 51

Voted Absentee: Erickson, Galvin-Halcro, Schmidt, Ayes; Bitney, Brainard, Hanson, Rose, Taylor, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 54

Noes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Ewer, Facey, Gallus, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Peck, Raney, Ryan, Smith, Squires, Swanson, Tash, Tropila, Tuss, Williams, Wyatt, Younkin.
Total 38

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Excused: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Schmidt, Taylor.
Total 8

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 173 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Brown, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Wyatt, Younkin, Zook, Mr. Speaker.
Total 67

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Jore, Kasten, Lawson, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Shockley, Story, Taylor, Trexler, Vick, Wagner, Walters, Witt.
Total 33

Voted Absentee: Erickson, Galvin-Halcro, Hanson, Rose, Schmidt, Ayes; Bitney, Brainard, Taylor, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 258 passed as follows:

Ayes: Ahner, J. Andersen, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook.
Total 78

Noes: Adams, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brown, Curtiss, Davies, Jore, Kasten, Krenzler, Lawson, Matthews, Orr, Rehbein, Shockley, Somerville, Trexler, Vick, Wagner, Walters, Mr. Speaker.
Total 22

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Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Schmidt, Taylor, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 274 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: Gallus, Mangan, Peck.
Total 3

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Schmidt, Taylor, Ayes.

Excused: None.
Total 0

Absent or not voting: Fisher.
Total 1

HB 349 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Schmidt, Taylor, Ayes.

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Excused: None.
Total 0

Absent or not voting: Simon, Soft.
Total 2

HB 387 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 89

Noes: Barnhart, Brainard, Gallus, Galvin-Halcro, Gillan, Harrington, Pavlovich, Peck, Tropila, Tuss, Wyatt.
Total 11

Voted Absentee: Bitney, Erickson, Hanson, Rose, Schmidt, Taylor, Ayes; Brainard, Galvin-Halcro, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 407 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 90

Noes: Buzzas, Erickson, Ewer, Gallus, Golie, Harper, Hurdle, Krenzler, Mangan, Schmidt.
Total 10

Voted Absentee: Bitney, Brainard, Galvin-Halcro, Hanson, Rose, Taylor, Ayes; Erickson, Schmidt, Noes.

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

HB 414 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: E. Bergsagel, P. Bergsagel, Jore, Rehbein.
Total 4

Voted Absentee: Bitney, Brainard, Erickson, Galvin-Halcro, Hanson, Rose, Schmidt, Taylor, Ayes.

Excused: None.
Total 0

Absent or not voting: E. Clark.
Total 1

SB 9 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Gillan, Grinde, Guggenheim, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Ryan, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 69

Noes: Barnhart, Buzzas, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Gutsche, Hagener, Harper, Hurdle, Juneau, Krenzler, Lindeen, Mangan, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Tropila, Tuss, Wyatt.
Total 29

Voted Absentee: Bitney, Brainard, Hanson, Rose, Taylor, Ayes; Erickson, Galvin-Halcro, Schmidt, Noes.

Excused: None.
Total 0

Absent or not voting: S. Anderson, Shockley.
Total 2

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ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Monday, February 15, 1999. Motion carried.

House adjourned at 3:00 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
February 15, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Rehbein. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Ryan. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirtieth, thirty-first, and thirty-second legislative days, find the same to be correct.

Rehbein, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/15/1999

Correctly printed: **HB 313, HB 362, HB 404, HB 454, HB 470, HB 480, HB 495, HB 514, HB 553, HB 557, HB 581, HJR 20, HJR 21.**

Correctly engrossed: **HB 34, HB 96, HB 182, HB 183, HB 267, HB 338, HB 353, HB 412, HB 435, HB 455, HB 461, HB 467, HB 474, HB 509, HB 512, HB 522, HB 523, HJR 13, HJR 14, HJR 16.**

EDUCATION (Masolo, Chairman): 2/15/1999

HB 528, introduced bill, be amended as follows:

1. Page 3, line 8.

Strike: "or"

2. Page 3, line 9.

Following: "district"

Insert: "; or (e) a professional education organization or association"

3. Page 3, line 17.

Strike: "or"

4. Page 3, line 20.

Following: "specialists"

Insert: "; or (d) inservice training developed by professional education organizations or associations in cooperation with educators of Indian descent and made available to all certified and classified personnel"

5. Page 3.

Following: line 28

Insert: "NEW SECTION. Section 4. Report to legislature. The superintendent of public instruction shall report to the 57th legislature on the progress of the implementation of [this act] and may make recommendations to enhance its provisions."

Renumber: subsequent sections

6. Page 4, line 3.

Following: "governments"

Insert: ", school districts, and university system"

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Following: "."

Insert: "(1)"

7. Page 4.

Following: line 5

Insert: "(2) The secretary of state shall send a copy of [this act] to the superintendent of public instruction for dissemination to every public school district in Montana.

(3) The secretary of state shall send a copy of [this act] to the commissioner of higher education for dissemination to every unit of the Montana university system."

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Ahner, Chairman):

2/15/1999

HB 411, do pass. Report adopted.

HB 443, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):

2/15/1999

HB 486, introduced bill, be amended as follows:

1. Page 12, line 5.

Strike: "institutional and"

2. Page 13, line 5.

Following: "may"

Insert: ", with department approval,"

3. Page 13, line 26.

Strike: "responsible"

Insert: "liable"

And, as amended, do pass. Report adopted.

HB 487, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/13/1999

SB 199, introduced by Christiaens

SB 239, introduced by Roush

SB 260, introduced by Glaser

SB 292, introduced by Bishop

SB 294, introduced by Cole

SB 321, introduced by Jabs

SB 327, introduced by Devlin

SB 347, introduced by Stang

FIRST READING AND COMMITMENT OF BILLS

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The following House bills were introduced, read first time, and referred to committees:

HB 625, introduced by P. Bergsagel, D. Adams, C. Ahner, S. Bookout-Reinicke, R. Brown, R. Clark, A. Curtiss, R. Dale, B. Davies, S. Fisher, D. Fuchs, L. Grinde, D. Hedges, J. Holden, V. Jackson, R. Jore, J. Mercer, D. Mood, S. Orr, B. Rehbein, P. Sliter, R. Somerville, B. Story, B. Thomas, A. Walters, referred to State Administration.

HB 626, introduced by H. Harper, J. Ellingson, referred to Fish, Wildlife and Parks.

HB 627, introduced by J. Hurdle, M. Guggenheim, G. Gutsche, J. Mangan, referred to Appropriations.

HB 628, introduced by D. Haines, C. Ahner, P. Bergsagel, R. Bitney, A. Curtiss, R. Dale, S. Fisher, D. Fuchs, L. Grinde, D. Hedges, B. Kasten, K. Ohs, P. Sliter, B. Thomas, A. Walters, referred to Education.

HB 629, introduced by D. Mood, referred to Fish, Wildlife and Parks.

HB 630, introduced by S. Rose, referred to Taxation.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 28, introduced by L. Grinde, T. Beck, C. Christiaens, V. Cocchiarella, B. DePratu, G. Devlin, A. Ellis, R. Erickson, E. Franklin, S. Gallus, B. Glaser, D. Grimes, L. Grosfield, M. Halligan, D. Hargrove, J. Harp, H. Harper, D. Harrington, J. Hertel, C. Hibbard, G. Jergeson, C. Juneau, B. Keenan, S. Kitzenberg, B. Lawson, D. Mahlum, J. Mangan, L. McCulloch, J. McKenney, W. McNutt, R. Menahan, K. Mesaros, A. Mohl, L. Nelson, K. Ohs, B. Simon, P. Sliter, M. Sprague, C. Squires, S. Stang, E. Swanson, L. Taylor, F. Thomas, D. Toews, M. Waterman, C. Younkin, referred to Education.

HJR 29, introduced by B. Barnhart, T. Hagener, referred to Local Government.

The following Senate bill was introduced, read first time, and referred to committee:

SB 260, introduced by B. Glaser, D. Fuchs, L. Grinde, J. Harp, B. Keenan, W. McNutt, K. Miller, S. Rose, M. Sprague, D. Toews, referred to Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 34 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Williams, Witt, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Adams, S. Anderson, Davies, Jackson, Johnson, Jore, Kasten, Lawson, Noennig, Orr, Shockley, Trexler, Vick, Wagner, Walters, Younkin.

Total 16

Voted Absentee: Ryan, Aye.

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Excused: None.
Total 0

Absent or not voting: Molnar, Tuss.
Total 2

HB 96 passed as follows:

s, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Gallus, Galvin-Halcro, Grinde, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 65

Noes: Barnhart, Bookout-Reinicke, Buzzas, P. Clark, Dell, Erickson, Ewer, Facey, Gillan, Golie, Guggenheim, Gutsche, Harper, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Lindeen, Mangan, McCulloch, Peck, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Wagner, Williams, Wyatt.
Total 33

Voted Absentee: Ryan, No.

Excused: None.
Total 0

Absent or not voting: Molnar, Simon.
Total 2

HB 182 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: P. Bergsagel, Jore, Orr, Rehbein.
Total 4

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HB 183 passed as follows:

r, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, E. Bergsagel, P. Bergsagel, Jore, Orr, Peck.

Total 6

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

Absent or not voting: Shockley.

Total 1

HB 267 passed as follows:

Ayes: Adams, Ahner, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Haines, Harper, Harrington, Hedges, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, McCann, McCulloch, McGee, Menahan, Molnar, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Sliter, Soft, Somerville, Thomas, Tropila, Tuss, Vick, Wagner, Wyatt, Mr. Speaker.

Total 61

Noes: J. Andersen, S. Anderson, Barnett, E. Clark, P. Clark, Curtiss, Ewer, Grinde, Hagener, Hanson, Hibbard, Holden, Jore, Kasten, Lindeen, Masolo, Matthews, McKenney, Mood, Noennig, Ohs, Orr, Peck, Rehbein, Rose, Simon, Smith, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Walters, Williams, Witt, Younkin, Zook.

Total 39

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 338 passed as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 98

Noes: Jore.
Total 1

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: Williams.
Total 1

HB 353 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 93

Noes: Barnhart, E. Bergsagel, P. Bergsagel, Peck, Rehbein.
Total 5

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: Eggers, Hedges.
Total 2

HB 412 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines,

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Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, P. Bergsagel, Hanson, Jore, Kasten, Orr, Rehbein.

Total 7

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 435 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 85

Noes: Adams, P. Bergsagel, Brown, Hanson, Holden, Johnson, Jore, Orr, Rehbein, Story, Taylor, Trexler, Vick, Walters.

Total 14

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

Absent or not voting: Fisher.

Total 1

HB 455 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson,

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Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 87

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Curtiss, Davies, Grinde, Jore, Molnar, Orr, Story, Vick, Wagner.
Total 13

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 461 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Brown, Buzzas, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Soft, Somerville, Squires, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Wyatt, Younkin, Zook, Mr. Speaker.
Total 65

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, E. Clark, Curtiss, Davies, Fisher, Fuchs, Hagener, Holden, Jackson, Johnson, Jore, Kasten, McCann, McGee, Molnar, Mood, Orr, Peck, Rehbein, Rose, Sliter, Smith, Story, Stovall, Taylor, Vick, Wagner, Walters, Witt.
Total 35

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 467 passed as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

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Noes: J. Andersen, E. Bergsagel, Noennig, Smith.
Total 4

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 474 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 91

Noes: Adams, E. Bergsagel, P. Bergsagel, Fuchs, Jore, Orr, Rehbein, Vick, Wagner.
Total 9

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 509 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Mr. Speaker.
Total 77

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, R. Clark, Curtiss, Davies, Fisher, Jore, Kasten, McCann, McGee, Molnar, Orr, Rehbein, Rose, Story, Taylor, Trexler, Vick, Wagner, Walters, Zook.
Total 23

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Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 512 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 83

Noes: Adams, P. Bergsagel, Davies, Hanson, Jore, Kasten, Lawson, Orr, Peck, Rehbein, Sliter, Somerville, Story, Vick, Wagner.
Total 15

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: Fisher, Soft.
Total 2

HB 522 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 94

Noes: Adams, Jore, McGee, Orr, Rehbein, Story.
Total 6

Voted Absentee: Ryan, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 523 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: Jore, McGee.

Total 2

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 13 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Jore, Kasten, Menahan, Orr.

Total 4

Voted Absentee: Ryan, Aye.

Excused: None.

Total 0

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Absent or not voting: Erickson, Harrington.
Total 2

HJ 14 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 94

Noes: Juneau, Orr, Tuss.
Total 3

Voted Absentee: Ryan, Aye.

Excused: None.
Total 0

Absent or not voting: Facey, Harrington, Raney.
Total 3

SPECIAL ORDERS OF THE DAY

Mr. Speaker appointed Representatives Grinde and Swanson to escort President Abraham Lincoln (Professor Harry Fritz of Missoula) into the House Chamber. President Lincoln addressed the members with a brief history of his life and times.

Representatives Grinde and Swanson escorted President Lincoln from the House Chamber.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Williams in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 10 - Representative Somerville moved **SB 10** be concurred in.

SB 10 - Representative Rehbein moved **SB 10**, second reading copy, be amended as follows :

1. Title, line 9.
Following: " ; "

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Insert: "ELIMINATING THE REQUIREMENT THAT CERTAIN FARM VEHICLES MUST BE OPERATED WITHIN 100 MILES OF A FARMING OPERATION TO BE EXEMPT FROM CERTAIN WIDTH REQUIREMENTS;"

2. Page 2, line 14 through line 15.

Strike: "for" on line 14 through "miles" on line 15

3. Page 2, line 19 through line 20.

Strike: "within" on line 19 through "hay" on line 20

4. Page 3, line 6.

Strike: "for" through "miles"

Amendment concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brown, Buzzas, E. Clark, P. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: Brainard, R. Clark, Cobb, Galvin-Halcro, Ohs, Rose, Smith, Tuss, Wyatt.

Total 9

Excused: Ryan.

Total 1

Absent or not voting: Bitney, Bookout-Reinicke, McCann, Swanson.

Total 4

Motion that **SB 10**, as amended, be concurred in carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, Galvin-Halcro, Hurdle, Jore, McGee, Orr, Wagner.

Total 7

Voted Absentee: Ryan, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 133 - Representative Anderson moved **SB 133** be concurred in.

SB 133 - Representative Vick moved **SB 133**, second reading copy, be amended as follows :

1. Page 2, line 4.

Following: "IS"

Insert: "80 miles an hour during the daytime and"

Following: "HOURLY"

Strike: "AT ALL TIMES"

Insert: "during the nighttime"

Amendment failed as follows:

Ayes: Adams, Ahner, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, Cobb, Davies, Eggers, Fisher, Fuchs, Galvin-Halcro, Grinde, Hibbard, Hurdle, Jore, Kitzenberg, Krenzler, Lindeen, McGee, McKenney, Molnar, Orr, Rehbein, Shockley, Sliter, Taylor, Tuss, Vick, Wagner, Witt, Wyatt, Younkin, Mr. Speaker.

Total 37

Noes: J. Andersen, S. Anderson, Beck, Brainard, Buzzas, P. Clark, R. Clark, Curtiss, Dale, Dell, Erickson, Ewer, Facey, Gallus, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Jackson, Johnson, Juneau, Kasten, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Walters, Williams, Zook.

Total 61

Excused: Ryan.
Total 1

Absent or not voting: Barnhart.
Total 1

SB 133 - Representative Matthews moved **SB 133**, second reading copy, be amended as follows :

1. Title, line 16.

Following: "÷"

Insert: "INCREASING TRUCK SPEED LIMITS ON CERTAIN HIGHWAYS;"

2. Page 6, line 24.

Strike: "60"

Insert: "65"

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3. Page 6, line 25.

Strike: "55"

Insert: "65"

Representative Eggers excused at this time.

Amendment failed as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, E. Clark, Cobb, Curtiss, Davies, Fisher, Fuchs, Grinde, Hagener, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, Matthews, McKenney, Molnar, Mood, Ohs, Orr, Pavlovich, Rehbein, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Tuss, Vick, Wagner, Witt, Younkin, Zook.

Total 44

Noes: J. Andersen, Barnhart, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Krenzler, Lindeen, Mangan, McCann, McCulloch, McGee, Menahan, Noennig, Peck, Quilici, Raney, Rose, Schmidt, Shockley, Smith, Squires, Swanson, Thomas, Trexler, Tropila, Walters, Williams, Wyatt, Mr. Speaker.

Total 55

Voted Absentee: Eggers, No.

Excused: Ryan.

Total 1

Absent or not voting: None.

Total 0

Motion that **SB 133** be concurred in carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, R. Clark, Cobb, Dale, Dell, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Krenzler, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Simon, Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Thomas, Trexler, Tropila, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 73

Noes: Adams, E. Bergsagel, Brainard, E. Clark, Curtiss, Davies, Eggers, Fuchs, Hanson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, McGee, Molnar, Orr, Rehbein, Ryan, Shockley, Sliter, Stovall, Taylor, Tuss, Vick, Wagner, Witt.

Total 27

Voted Absentee: Eggers, Ryan, Noes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Williams moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 83

Noes: P. Bergsagel, Cobb, Fuchs, Jore, McGee, Molnar, Rehbein, Sliter, Tuss, Wagner.
Total 10

Excused: Eggers, Ryan.
Total 2

Absent or not voting: Adams, Fisher, Hedges, Masolo, Simon.
Total 5

MOTIONS

Representative Squires requested on **HB 182**, 3rd reading today, her vote be changed from no to yes and on **HB 183**, 3rd reading today, her vote be shown as yes. There being no objections, so ordered.

Representative Eggers requested on **HB 412**, 3rd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Simon requested on **HB 267**, 3rd reading today, his vote be changed from yes to no. There being no objections, so ordered.

Representative Buzzas requested on **HB 96**, 3rd reading today, her vote be changed from yes to no. There being no objections, so ordered.

Representative Swanson moved that the House reconsider its action on **HB 449**. Motion passed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, E. Clark, Cobb, Dell, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Squires, Swanson, Taylor, Tropila, Tuss, Williams, Wyatt, Younkin.
Total 50

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown,

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R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Hanson, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, McGee, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Soft, Somerville, Story, Stovall, Tash, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 46

Excused: Eggers, Ryan.
Total 2

Absent or not voting: P. Clark, Simon.
Total 2

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Tuesday, February 16, 1999. Motion carried.

House adjourned at 3:00 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
February 16, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative P. Bergsagel. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Mangan. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirty-third, thirty-fourth, and thirty-fifth legislative days, find the same to be correct.

Rehbein, Chairman

Representative McCulloch introduced and Sergeant-at-Arms Meuli escorted Cat in the Hat (Michelle Glennon) into the House Chamber and the following proclamation was read:

COMMUNICATIONS AND PETITIONS

A JOINT PROCLAMATION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA

WHEREAS, the citizens of Montana recognize reading as fundamental to children's education; and

WHEREAS, Montana has a strong tradition of community involvement in the education of our young people, grounded in the principle that education is key to Montana's well being; and

WHEREAS, research shows that children who read regularly, especially with adults, have greater success in school; and

WHEREAS, "Read Across America," a national celebration of Dr. Seuss's birthday on March 2nd, promotes reading and adult involvement in the education of our students; and

WHEREAS, "Read Across America" is cosponsored by groups such as the American Library Association, National PTA, Boys & Girls Clubs of America, and the International Reading Association, and is supported by educators and parents across Montana;

THEREFORE BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That this body recognizes March 2 as "Read Across Montana Day" and recommits this state to help make Montana's children, and America's children, the best readers in the world.

The proclamation was signed by Representatives McCulloch, Mercer, and Swanson, and Senators Crippen, Doherty, and Mahlum.

REPORTS OF STANDING COMMITTEES

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BILLS (Rehbein, Chairman):

2/16/1999

Correctly printed: **HB 411, HB 443, HB 486, HB 487, HB 528.**

Correctly engrossed: **SB 10, SB 133.**

Correctly enrolled: **HB 93, HB 138, HB 139, HB 175, HB 194.**

Delivered to the Governor for his approval at 9:15 a.m., February 16, 1999: **HB 29, HB 30, HB 35, HB 51, HB 80, HB 254, HB 284.**

EDUCATION (Masolo, Chairman):

2/16/1999

HB 584, do pass. Report adopted.

HUMAN SERVICES (Soft, Chairman):

2/16/1999

HB 551, introduced bill, be amended as follows:

1. Title, line 8.

Following: " ; "

Insert: "REQUIRING THAT CERTAIN SAVINGS BE APPROPRIATED TO TRIBES STARTING FAMILY ASSISTANCE PLANS;"

2. Title, line 9.

Following: "AN"

Insert: "IMMEDIATE"

3. Page 2, lines 7 through 9.

Following: "level" on line 7

Strike: remainder of line 7 through "rate" on line 9

Insert: "up to \$100,000 of general fund money, as determined by the department, must be appropriated for each of the succeeding 2 fiscal years for the use of any tribe implementing a family assistance plan after [the effective date of this act]"

4. Page 2, line 18.

Strike: "July 1, 1999"

Insert: "on passage and approval"

And, as amended, do pass. Report adopted.

HB 563, introduced bill, be amended as follows:

1. Title, line 5.

Following: "UPON"

Insert: "SUCCESSFUL"

2. Title, line 6.

Following: "INSTITUTION"

Insert: "AND A DEMONSTRATION OF COMPETENCY TO THE BOARD OF MEDICAL EXAMINERS"

3. Page 1, line 21.

Following: "has"

Insert: "demonstrated competency in the use of acupuncture to the board and has successfully"

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Following: "proof of"
Insert: "successful"

And, as amended, do pass. Report adopted.

HB 583, do pass. Report adopted.
HJR 22, be adopted. Report adopted.

JUDICIARY (Clark, Chairman):
HB 227, introduced bill, be amended as follows:

2/16/1999

1. Title, line 4 through line 10.
Strike: "PROVIDING" on line 4 through "DEBTS;" on line 10

2. Title, line 12.
Following: "CORPORATE"
Insert: "DIRECTOR OR"

3. Title, line 12 through line 13.
Strike: ", OR" on line 12 through "ATTORNEY" on line 13

4. Title, line 13.
Strike: "SECTIONS"
Insert: "SECTION"
Strike: "AND 37-61-210"

5. Page 1, line 17 through line 24.
Strike: section 1 in its entirety
Renumber: subsequent section

6. Page 2, line 4.
Following: "its"
Insert: "directors, officers, or"

7. Page 2, line 4 through line 6.
Strike: "and," on line 4 through "attorney" on line 6

8. Page 2, line 19 through line 29.
Strike: sections 3 and 4 in their entirety

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):
HB 429, introduced bill, be amended as follows:

2/16/1999

1. Title, page 1, line 4.
Following: "CLOSING"
Insert: "SUBBASINS OF"

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2. Title, page 1, line 5.

Following: "WATER,"

Insert: "NONCONSUMPTIVE,"

3. Page 1, line 11.

Following: "River"

Strike: "basin"

Insert: "subbasin"

4. Page 1.

Following: line 17

Insert: "(c) "Bitterroot River subbasin" means one of the following hydrologically related portions of the Bitterroot River basin:

- (i) the mainstem subbasin, designated as "Subbasin 76HA";
- (ii) the north end subbasin, designated as "Subbasin 76HB";
- (iii) the east side subbasin, designated as "Subbasin 76HC";
- (iv) the southeast subbasin, designated as "Subbasin 76HD";
- (v) the south end subbasin, designated as "Subbasin 76HE";
- (vi) the southwest subbasin, designated as "Subbasin 76HF";
- (vii) the west central subbasin, designated as "Subbasin 76HG"; or
- (viii) the northwest subbasin, designated as "Subbasin 76HH"

(d) "Nonconsumptive" means a beneficial use of water that does not cause a reduction in the source of supply and in which substantially all of the water returns without delay to the source of supply, causing little or no disruption in stream conditions."

5. Page 1, line 19.

Following: "within"

Strike: "the"

Insert: "a"

Following: "River"

Strike: "basin"

Insert: "subbasin"

Following: "until the"

Strike: "basin"

6. Page 1, line 20.

Following: "closure"

Insert: "for the basin"

7. Page 1, line 22.

Following: "water for"

Insert: "a nonconsumptive use or for"

8. Page 1, line 26.

Strike: "The"

Insert: "Each"

Strike: "basin"

Insert: "subbasin"

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9. Page 1, line 27.

Strike: "issuance" through "part 2"

Insert: "all water rights in the subbasin arising under the laws of the state are subject to an enforceable and administrable decree as provided in 85-2-406(4)"

10. Page 1.

Following: line 27

Insert: "NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 85, chapter 2, part 3, and the provisions of Title 85, chapter 2, part 3, apply to [section 1]."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 458, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "OF"

Insert: "EDUCATIONAL"

2. Title, page 1, lines 8 and 9.

Following: "MANAGEMENT"

Strike: "AND" on line 8 through "MONTANA" on line 9

3. Page 2, line 1.

Strike: ", to develop and recommend state policy,"

4. Page 3, line 2.

Strike: "-- policy recommendations"

5. Page 3, line 3.

Strike: "appropriate agency representatives"

Insert: "affected and interested stakeholders"

6. Page 3, line 8.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

7. Page 3, lines 11 and 12.

Strike: ", or" on line 11 through "stakeholders," on line 12

8. Page 3, line 12 through line 14.

Strike: ", modify" on line 12 through "developed;" on line 14

Insert: "and existing educational and informational programs regarding the dissemination of information regarding voluntary BMPs, to ensure coordination in water quality protection efforts and consistency with 75-5-702 and 75-5-703; and"

9. Page 3, line 16.

Strike: "through (3)"

Insert: "and (2)"

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10. Page 3, line 17.

Strike: "; and"

Insert: "."

11. Page 3, line 18 through line 20.

Strike: subsection (5) in its entirety

And, as amended, do pass. Report adopted.

HB 485, do pass. Report adopted.

HB 539, do pass. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

2/15/1999

HB 432, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/15/1999

SB 16, introduced by Keenan

SB 137, introduced by Franklin

SB 139, introduced by Franklin

SB 240, introduced by Grimes

SB 243, introduced by Thomas

SB 250, introduced by Bartlett

SB 266, introduced by Lynch

SB 267, introduced by Lynch

SB 268, introduced by Lynch

SB 305, introduced by Thomas

SB 330, introduced by Mohl

SB 331, introduced by Shea

SB 333, introduced by Swysgood

SB 346, introduced by Hargrove

SB 356, introduced by Mohl

SB 396, introduced by Bartlett

House bills concurred in and returned to the House:

2/15/1999

HB 93, introduced by Pavlovich

HB 138, introduced by Harper

HB 139, introduced by Harper

HB 175, introduced by Gillan

HB 194, introduced by Cobb

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

HB 66, introduced by Cobb

2/15/1999

HB 82, introduced by Harper

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MESSAGES FROM THE GOVERNOR

February 12, 1999

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed **House Bill 55** sponsored by Representative Peck on February 12, 1999.

Sincerely,

MARC RACICOT
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 631, introduced by B. Rehbein, referred to Appropriations.

HB 632, introduced by R. Bitney, B. Lawson, P. Sliter, referred to State Administration.

HB 633, introduced by R. Bitney, J. Harp, S. Kitzenberg, B. Lawson, J. Quilici, P. Sliter, S. Stang, referred to Transportation.

HB 634, introduced by R. Erickson, H. Harper, R. Peck, E. Swanson, C. Younkin, referred to State Administration.

HB 635, introduced by M. Brainard, R. Bitney, referred to Transportation.

HB 636, introduced by C. Hibbard, L. Grosfield, M. McCann, B. McCarthy, J. Mercer, D. Mood, K. Ohs, R. Peck, D. Shea, E. Swanson, referred to State Administration.

The following House joint resolutions were introduced, read first time, and referred to committee:

HJR 30, introduced by S. Kitzenberg (by request of the House State Administration Standing Committee), referred to Transportation.

HJR 31, introduced by R. Menahan (by request of the House State Administration Standing Committee), referred to State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

SB 1, introduced by D. Mahlum, referred to Local Government.

SB 13, introduced by W. McNutt, referred to Transportation.

SB 16, introduced by B. Keenan (by request of the Department of Administration), referred to Judiciary.

SB 22, introduced by A. Mohl (by request of the Department of Corrections), referred to Judiciary.

SB 27, introduced by J. Hertel, referred to Business and Labor.

SB 31, introduced by S. Stang (by request of the Office of Public Instruction), referred to Education.

SB 33, introduced by F. Thomas (by request of the Department of Corrections), referred to Judiciary.

SB 36, introduced by B. Keenan, referred to Judiciary.

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SB 40, introduced by D. Grimes (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

SB 47, introduced by C. Swysgood, referred to Transportation.

SB 57, introduced by S. Stang (by request of the Department of Administration and the Department of Transportation), referred to State Administration.

SB 58, introduced by J. Wells (by request of the Department of Fish, Wildlife, and and Parks), referred to Fish, Wildlife and Parks.

SB 59, introduced by J. Wells (by request of the Department of Fish, Wildlife, and and Parks), referred to Fish, Wildlife and Parks.

SB 60, introduced by M. Halligan, referred to Judiciary.

SB 67, introduced by D. Mahlum, referred to Business and Labor.

SB 68, introduced by D. Mahlum (by request of the State Compensation Insurance Fund), referred to Business and Labor.

SB 69, introduced by S. Stang (by request of the Office of Public Instruction), referred to Education.

SB 71, introduced by L. Nelson, referred to Transportation.

SB 75, introduced by M. Halligan (by request of the Department of Justice), referred to Human Services.

SB 81, introduced by J. Harp (by request of the Governor), referred to Appropriations.

SB 82, introduced by S. Doherty (by request of the Department of Justice), referred to State Administration.

SB 87, introduced by D. Hargrove, referred to Judiciary.

SB 89, introduced by S. Stang, referred to Transportation.

SB 90, introduced by S. Stang (by request of the Joint Interim Subcommittee on Veterans' Needs), referred to Business and Labor.

SB 91, introduced by C. Swysgood (by request of the Department of Fish, Wildlife, and Parks), referred to Agriculture.

SB 94, introduced by L. Nelson (by request of the Department of Justice), referred to Transportation.

SB 95, introduced by L. Grosfield (by request of the Environmental Quality Council), referred to Local Government.

SB 96, introduced by S. Stang, V. Cocchiarella, L. Grosfield (by request of the Environmental Quality Council), referred to Local Government.

SB 97, introduced by S. Stang, V. Cocchiarella, L. Grosfield (by request of the Environmental Quality Council), referred to Natural Resources.

SB 99, introduced by J. Tester (by request of the State Auditor), referred to Business and Labor.

SB 101, introduced by E. Franklin (by request of the Department of Public Health and Human Services), referred to Human Services.

SB 103, introduced by E. Franklin (by request of the State Auditor), referred to Business and Labor.

SB 107, introduced by D. Mahlum (by request of the State Auditor), referred to Business and Labor.

SB 108, introduced by D. Berry (by request of the Department of Commerce), referred to Business and Labor.

SB 110, introduced by A. Ellis (by request of the Department of Revenue), referred to Taxation.

SB 112, introduced by E. Franklin (by request of the Department of Justice), referred to Judiciary.

SB 113, introduced by D. Mahlum (by request of the Department of Justice), referred to Business and Labor.

SB 114, introduced by F. Thomas (by request of the Department of Public Health and Human Services), referred to Business and Labor.

SB 115, introduced by S. Stang (by request of the State Auditor), referred to Business and Labor.

SB 116, introduced by B. Glaser (by request of the Department of Public Health and Human Services), referred to Human Services.

SB 117, introduced by F. Thomas (by request of the Department of Labor and Industry), referred to Business and Labor.

SB 118, introduced by F. Thomas (by request of the Department of Labor and Industry), referred to Business and Labor.

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SB 122, introduced by T. Beck (by request of the Department of Justice), referred to Transportation.

SB 124, introduced by T. Beck (by request of the Department of Public Health and Human Services), referred to Human Services.

SB 127, introduced by M. Waterman (by request of the Department of Revenue, referred to Business and Labor.

SB 128, introduced by C. Christiaens (by request of the State Auditor), referred to Judiciary.

SB 131, introduced by C. Swysgood (by request of the Department of Labor and Industry), referred to Fish, Wildlife and Parks.

SB 134, introduced by D. Mahlum, referred to Education.

SB 137, introduced by E. Franklin (by request of the Joint Interim Subcommittee on Veterans' Needs), referred to Transportation.

SB 139, introduced by E. Franklin (by request of the Joint Interim Subcommittee on Veterans' Needs), referred to Transportation.

SB 140, introduced by L. Nelson (by request of the Secretary of State), referred to State Administration.

SB 151, introduced by D. Toews, referred to Taxation.

SB 154, introduced by Mohl, referred to Transportation.

SB 155, introduced by Berry, referred to Judiciary.

SB 158, introduced by Glaser, Clark, Halligan and Hargrove, referred to Judiciary.

SB 159, introduced by Devlin, Stang, Taylor, Bohlinger, Tash, Raney, Nelson, Hanson, Mesaros, DePratu, Harp, Beck and Holden, referred to Taxation.

SB 162, introduced by Crismore, Barnett and McNutt, referred to Business and Labor.

SB 163, introduced by Mahlum, referred to Judiciary.

SB 165, introduced by Lynch, Pavlovich, referred to Judiciary.

SB 166, introduced by Lynch, Pavlovich, Clark and Keating, referred to Local Government.

SB 167, introduced by Tester, Simon, Tuss, Grosfield, Mood, DePratu, Waterman, Swanson, Ohs and M. Taylor (by request of the Department of Commerce and the Joint Select Committee on Jobs and Income), referred to Taxation.

SB 168, introduced by Grosfield, Mood, Tester, Waterman, Tuss, M. Taylor, DePratu, Ohs and Swanson (by request of Joint Select Committee on Jobs and Income), referred to State Administration.

SB 169, introduced by M. Taylor, Tuss, referred to Business and Labor.

SB 170, introduced by M. Taylor, Ohs, Tuss, Grosfield, Swanson, Simon, Waterman and Mood (by request of the Joint Select Committee on Jobs and Income), referred to Appropriations.

SB 172, introduced by Waterman, Simon, Swanson, Mood, DePratu, M. Taylor, Ohs and Grosfield, referred to Taxation.

SB 176, introduced by Bohlinger, referred to Human Services.

SB 178, introduced by Nelson, referred to Agriculture.

SB 179, introduced by R. Holden (by request of Senate Judiciary Committee), referred to Judiciary.

SB 180, introduced by Hertel, referred to Local Government.

SB 186, introduced by Wells, Hargrove and M. Taylor, referred to Judiciary.

SB 187, introduced by Tester, and Witt, referred to Agriculture.

SB 188, introduced by Beck, referred to Judiciary.

SB 189, introduced by Berry, referred to Business and Labor.

SB 190, introduced by Halligan (by request of Senate Judiciary Committee), referred to Judiciary.

SB 191, introduced by Jabs, and Halligan (by request of Senate Judiciary Committee), referred to Judiciary.

SB 192, introduced by Bohlinger, Lindeen and Gillan, referred to Taxation.

SB 193, introduced by Hargrove, Harp and Halligan (by request of the Joint Select Committee on CI-75), referred to State Administration.

SB 195, introduced by Lynch, referred to State Administration.

SB 196, introduced by Mesaros, Ohs, Beck and Tash, referred to Agriculture.

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SB 197, introduced by Christiaens, Mangan, Wyatt, McCarthy, Ryan and Bohlinger, referred to Human Services.

SB 199, introduced by Christiaens, referred to Education.

SB 201, introduced by McNutt (by request of Senate Judiciary Committee), referred to Judiciary.

SB 203, introduced by Bartlett, Noennig and Halligan, referred to Judiciary.

SB 205, introduced by McNutt, Pavlovich, Rose, Gallus, Glaser, Harrington, Matthews, Mahlum, Galvin-Halco, G. Beck, Hertel, Crippen, Grimes, Mercer, McCarthy, Ohs, Ellis, Kitzenberg, Bartlett, Rehbein, Hanson, Hibbard, Mesaros, Harper, Squires, Menahan, Tropila, Quilici, M. Taylor, Grinde, Lynch, Shea, Masolo, Ryan, Grosfield, Swanson, Nelson, T. Beck, DePratu and R. Holden, referred to Taxation.

SB 206, introduced by McNutt, Pavlovich, Rose, Gallus, Mahlum, Mood, Galvin-Halco, Hertel, Crippen, Grimes, Matthews, Mercer, Glaser, Ohs, McCarthy, Ellis, Kitzenberg, Bartlett, Rehbein, Hanson, Squires, Hibbard, Ryan, Mesaros, Harper, McCulloch, G. Beck, Harrington, Tropila, Quilici, Menahan, Grinde, Lynch, Shea, Grosfield, M. Taylor, Masolo, Swanson, DePratu, T. Beck and R. Holden, referred to Taxation.

SB 207, introduced by Roush, J. Holden, Golie, G. Beck, Stang, Ekegren, referred to Local Government.

SB 210, introduced by Lynch, Harper, Pavlovich and Shea, referred to Business and Labor.

SB 214, introduced by Bartlett, referred to Judiciary.

SB 215, introduced by Bartlett, referred to Judiciary.

SB 216, introduced by Swysgood, Rose, McCarthy, Hagener and Tash, referred to Natural Resources.

SB 217, introduced by Miller, referred to Business and Labor.

SB 219, introduced by Waterman, D. Adams, C. Ahner, B. Barnhart, S. Bartlett, J. Bohlinger, R. Buzzas, C. Christiaens, B. Crippen, R. Dale, S. Doherty, D. Eck, D. Ewer, S. Gallus, K. Gillan, M. Guggenheim, M. Halligan, D. Hargrove, C. Hibbard, G. Jergeson, T. Keating, B. Keenan, R. Lenhart, D. Mahlum, J. Mangan, G. Masolo, T. Schmidt, S. Stang, J. Tester, B. Thomas, J. Wells, B. Wilson, C. Younkin, referred to Human Services.

SB 221, introduced by Doherty, Grosfield and Halligan (by request of the Senate Judiciary Committee), referred to Judiciary.

SB 222, introduced by Doherty, Grosfield and Halligan (by request of Senate Judiciary Committee), referred to Judiciary.

SB 225, introduced by J. Hertel, referred to Local Government.

SB 226, introduced by J. Hertel, referred to Taxation.

SB 227, introduced by J. Hertel, referred to Business and Labor.

SB 229, introduced by F. Thomas, referred to Business and Labor.

SB 230, introduced by Grimes (by request of Senate Judiciary Committee), referred to Judiciary.

SB 231, introduced by Jabs (by request of Senate Judiciary Committee), referred to State Administration.

SB 232, introduced by DePratu, S. Anderson, S. Kitzenberg, W. McNutt, referred to Judiciary.

SB 234, introduced by F. Thomas, J. Mercer, referred to Business and Labor.

SB 236, introduced by Doherty, L. Grosfield, M. Halligan, referred to Judiciary.

SB 239, introduced by Roush, E. Clark, W. Crismore, P. Ekegren, D. Grimes, J. Holden, C. Juneau, A. Mohl, S. Rose, S. Stang, C. Swysgood, J. Tester, D. Toews, referred to Local Government.

SB 240, introduced by Grimes, referred to Transportation.

SB 243, introduced by F. Thomas, referred to Judiciary.

SB 245, introduced by Waterman, referred to Business and Labor.

SB 246, introduced by Mahlum, J. Hertel, M. McCann, R. Peck, S. Rose, F. Thomas, referred to Education.

SB 249, introduced by T. Keating, R. Brown, R. Dale, P. Ekegren, M. Hanson, D. Hedges, R. Jabs, W. McNutt, S. Rose, J. Tester, referred to Taxation.

SB 250, introduced by Bartlett (by request of Senate Judiciary Committee), referred to Judiciary. **SB 257**, introduced by D. Grimes, S. Bartlett, A. Bishop, D. Eck, E. Franklin, M. Halligan, D. Hargrove, referred to Judiciary.

SB 258, introduced by D. Grimes, S. Bartlett, D. Eck, E. Franklin, M. Halligan, D. Hargrove, referred to Judiciary.

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SB 259, introduced by D. Grimes, referred to Human Services.
SB 266, introduced by Lynch, referred to Transportation.
SB 267, introduced by Lynch, referred to Transportation.
SB 268, introduced by Lynch, referred to Transportation.
SB 269, introduced by Toews, and Kitzenberg, referred to Local Government.
SB 272, introduced by V. Cocchiarella, B. DePratu, D. Fuchs, L. Grinde, D. Shea, S. Stang, referred to Business and Labor.
SB 273, introduced by R. Jabs, referred to Judiciary.
SB 276, introduced by D. Berry, referred to Natural Resources.
SB 288, introduced by L. Nelson, referred to Education.
SB 289, introduced by S. Doherty, D. Adams, J. Bohlinger, S. Gallus, G. Jergeson, J. Lynch, L. Nelson, D. Shea, F. Thomas, referred to Business and Labor.
SB 290, introduced by J. Lynch, D. Shea, referred to Human Services.
SB 291, introduced by B. Crismore, referred to State Administration.
SB 292, introduced by A. Bishop (by request of Senate Judiciary Committee), referred to State Administration.
SB 294, introduced by M. Cole, G. Devlin, R. Jabs, M. Lindeen, M. Taylor, T. Zook, referred to Taxation.
SB 295, introduced by S. Doherty, S. Bartlett, B. Crippen, E. Franklin, B. Glaser, D. Harrington, J. Mangan, J. Quilici, C. Squires, J. Tropila, referred to State Administration.
SB 296, introduced by L. Nelson, D. Hedges, R. Jabs, G. Jergeson, S. Kitzenberg, B. Rehbein, J. Tester, referred to Business and Labor.
SB 299, introduced by J. Hertel, referred to Education.
SB 301, introduced by T. Keating, referred to Appropriations.
SB 304, introduced by D. Hargrove, B. Simon, referred to Business and Labor.
SB 305, introduced by F. Thomas, referred to Business and Labor.
SB 317, introduced by T. Beck, referred to State Administration.
SB 319, introduced by R. Holden, L. Soft, referred to Business and Labor.
SB 321, introduced by R. Jabs, referred to Natural Resources.
SB 325, introduced by J. Hertel, referred to State Administration.
SB 326, introduced by J. Tester, J. Ellingson, K. Galvin-Halcro, D. Wyatt, referred to Judiciary.
SB 327, introduced by G. Devlin, referred to Agriculture.
SB 330, introduced by A. Mohl, C. Ahner, T. Beck, W. Crismore, B. DePratu, G. Devlin, B. Glaser, J. Harp, R. Holden, J. Lynch, K. Mesaros, D. Shea, C. Swysgood, M. Taylor, referred to Transportation.
SB 331, introduced by D. Shea, referred to Business and Labor.
SB 333, introduced by C. Swysgood, S. Bookout-Reinicke, M. Cole, B. Crippen, B. DePratu, G. Devlin, A. Ellis, L. Grinde, M. Hanson, J. Harp, H. Harper, J. Hertel, R. Jabs, B. Kasten, W. McNutt, K. Mesaros, A. Mohl, K. Ohs, R. Peck, J. Quilici, B. Rehbein, P. Sliter, B. Story, F. Thomas, M. Waterman, T. Zook, referred to Appropriations.
SB 346, introduced by D. Hargrove, referred to Transportation.
SB 347, introduced by S. Stang, referred to Business and Labor.
SB 348, introduced by S. Bartlett, L. Grosfield, referred to Local Government.
SB 352, introduced by D. Mahlum, T. Beck, M. Halligan, G. Jergeson, J. Lynch, S. Rose, referred to State Administration.
SB 356, introduced by A. Mohl, referred to Transportation.
SB 396, introduced by S. Bartlett, referred to Business and Labor.

The following Senate resolutions were introduced, read first time, and referred to committees:

SJR 5, introduced by Tester, B. Barnhart, E. Clark, D. Eck, S. Kitzenberg, referred to Human Services.

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SJR 7, introduced by J. Bohlinger, referred to Transportation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Tropila in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 171 - Representative Story moved **SB 171** be concurred in.

SB 171 - Representative Story moved **SB 171**, second reading copy, be amended as follows :

1. Page 1, line 21.

Strike: "hunting OR"

Following: "ANIMALS"

Insert: "or hunting"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Hurdle, Mood.

Total 2

Excused: Mangan.

Total 1

Absent or not voting: None.

Total 0

SB 171 - Representative Lenhart moved **SB 171**, second reading copy, be further amended as follows :

1. Title, line 6.

Strike: "A PENALTY FOR A FIRST OFFENSE"

Insert: "PENALTIES"

2. Page 1.

Following: line 25

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Insert: "(3)(a) Notwithstanding subsection (2), a person who knowingly violates subsection (1) shall, upon conviction, be fined an amount not less than \$50 or more than \$250."

(b) A person who fails to obtain permission to hunt, as required in subsection (1), on private lands with property boundaries that are not fenced and not posted, as provided in 45-6-201, does not violate subsection (1).

Amendment failed as follows:

Ayes: Ahner, Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harrington, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, McCulloch, Menahan, Molnar, Noennig, Pavlovich, Peck, Quilici, Ryan, Schmidt, Shockley, Sliter, Smith, Squires, Swanson, Tropila, Wagner, Williams, Wyatt.
Total 45

Noes: Adams, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Ewer, Fisher, Grinde, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Lindeen, Masolo, Matthews, McCann, McGee, McKenney, Mood, Ohs, Orr, Raney, Rehbein, Rose, Simon, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 54

Voted Absentee: Mangan, Aye.

Excused: None.
Total 0

Absent or not voting: Tuss.
Total 1

Motion that **SB 171**, as amended, be concurred in passed as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Ewer, Fisher, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Lindeen, Masolo, Matthews, McCann, McGee, McKenney, Mood, Ohs, Orr, Raney, Rehbein, Rose, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 56

Noes: Ahner, Barnhart, Beck, P. Bergsagel, Buzzas, P. Clark, Dell, Eggers, Erickson, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, McCulloch, Menahan, Molnar, Noennig, Pavlovich, Peck, Quilici, Ryan, Schmidt, Shockley, Smith, Soft, Squires, Swanson, Trexler, Tropila, Williams.
Total 44

Voted Absentee: Mangan, No.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HB 558 - Representative Bitney moved **HB 558** do pass. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 84

Noes: Adams, Brainard, Cobb, Fuchs, Galvin-Halcro, Hurdle, Jore, McCann, McGee, Orr, Peck, Rehbein, Wagner, Wyatt.

Total 14

Voted Absentee: Mangan, Aye.

Excused: None.

Total 0

Absent or not voting: Ahner, Rose.

Total 2

HB 379 - Representative Tash moved **HB 379** do pass.

Representative Noennig excused at this time.

HB 379 - Representative Tash moved **HB 379**, second reading copy, be amended as follows :

1. Page 2, line 15.

Following: "programs"

Strike: "for the management of"

Insert: "that: (i) manage"

2. Page 2, line 16.

Following: "animals"

Strike: "that may affect a"

Insert: "in a manner that prevents the need for listing under the federal Endangered Species Act, 16 U.S.C. 1531, et seq.; and

(ii) manage"

Following: "species, or"

Insert: "a"

3. Page 2, lines 19 through 23.

Following: "(b)" on line 19

Strike: remainder of line 19 through "protected" on line 23

Insert: "In maintaining or recovering a listed species, a sensitive species, or a species that is a potential candidate

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for listing, the department shall seek, to the fullest extent possible, to balance maintenance or recovery of those species with the social and economic impacts of species maintenance or recovery"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Galvin-Halcro, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 78

Noes: Barnhart, Buzzas, Dell, Erickson, Facey, Gallus, Gillan, Gutsche, Harper, Harrington, Hurdle, Lindeen, Menahan, Peck, Smith, Tuss, Vick, Wyatt.

Total 18

Voted Absentee: Noennig, Aye.

Excused: Mangan.

Total 1

Absent or not voting: Ewer, Molnar, Squires.

Total 3

Motion that **HB 379**, as amended, do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Fisher, Fuchs, Golie, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Quilici, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Witt, Younkin, Zook.

Total 70

Noes: Adams, E. Bergsagel, P. Bergsagel, P. Clark, Davies, Erickson, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Jore, Lindeen, McCulloch, Menahan, Pavlovich, Peck, Ryan, Schmidt, Squires, Swanson, Vick, Williams, Wyatt.

Total 28

Voted Absentee: Mangan, Aye.

Excused: None.

Total 0

Absent or not voting: Ewer, Mr. Speaker.

Total 2

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HB 459 - Representative R. Clark moved **HB 459** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 91

Noes: Barnhart, Buzzas, Gutsche, Peck, Schmidt, Sliter.

Total 6

Voted Absentee: Mangan, Noennig, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnett, Molnar, Mr. Speaker.

Total 3

HB 482 - Representative Harrington moved consideration of **HB 482** be passed for the day. Motion carried.

HB 492 - Representative Harper moved **HB 492** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: E. Bergsagel, P. Bergsagel, Cobb, Jore, McGee, Noennig, Orr, Rehbein, Story, Vick, Wagner.

Total 11

Voted Absentee: Mangan, Aye; Noennig, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed.

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Mr. Speaker in the chair. Chairman Tropila moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Cobb, Hurdle, Jore, Rehbein, Sliter.

Total 5

Excused: Mangan, Noennig.

Total 2

Absent or not voting: Davies, Gallus.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJ 16 adopted as follows:

Ayes: Ahner, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Witt, Wyatt.

Total 63

Noes: Adams, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, R. Clark, Curtiss, Davies, Fisher, Hanson, Jackson, Johnson, Jore, Kasten, McCann, McGee, Noennig, Orr, Rehbein, Shockley, Sliter, Soft, Somerville, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Younkin, Zook, Mr. Speaker.

Total 36

Voted Absentee: Mangan, Aye; Noennig, No.

Excused: None.

Total 0

Absent or not voting: Mood.

Total 1

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SB 133, as amended by the House, concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Krenzler, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Williams, Wyatt, Younkin, Zook, Mr. Speaker.
Total 73

Noes: Adams, E. Bergsagel, Brainard, E. Clark, Cobb, Curtiss, Davies, Fuchs, Hanson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, McGee, Molnar, Orr, Rehbein, Ryan, Shockley, Sliter, Taylor, Tuss, Vick, Wagner, Walters, Witt.
Total 27

Voted Absentee: Mangan, Noennig, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Pavlovich requested on **HB 522**, 3rd reading on Legislative Day 37, that his vote be shown as yes. There being no objections, so ordered.

Representative Gallus requested on **HB 558**, 2nd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Juneau requested on **HB 182**, 3rd reading on Legislative Day 37, that her vote be shown as yes. There being no objections, so ordered.

Representative Grinde moved that the House approve the Transmittal Agreement and that the rules be suspended to allow consideration on 3rd reading on the 45th legislative day any bill amended on 2nd reading on the 44th legislative day. Motion carried.

SPECIAL ORDERS OF THE DAY

The following cosponsors were added to **HB 429**: Representative Brainard and Senators Berry and Thomas.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Wednesday, February 17, 1999. Motion

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carried.

House adjourned at 2:20 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY**

Helena, Montana
February 17, 1999

House Chambers
State Capitol

House convened at 1:00 p.m. Speaker Pro Tempore Mood in the Chair. Invocation by Representative McCulloch. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/17/1999

Correctly printed: **HB 429, HB 432, HB 458, HB 485, HB 539, HB 551, HB 563, HB 583, HB 584, HJR 22.**

Correctly engrossed: **HB 227, HB 379, HB 459, HB 492, HB 558, SB 171.**

Correctly enrolled: **HB 85, HB 137**

Examined by the sponsor and found to be correct: **HB 93, HB 138, HB 139, HB 175, HB 194.**

2/16/1999

Examined by the sponsor and found to be correct: **HB 85, HB 137.**

2/17/1999

APPROPRIATIONS (Zook, Chairman): 2/17/1999

HB 115, introduced bill, be amended as follows:

1. Title, page 1, lines 25 and 26.

Following: "PROGRAM;" on line 25

Strike: the remainder of line 25 through "CENTERS;" on line 26

2. Page 8, line 1.

Following: the second "and"

Strike: "59th"

Insert: "58th"

3. Page 12, line 2.

Following: "death"

Insert: ", except as provided in 46-18-201(1)(a)(xiv)"

4. Page 12, line 25 through line 27.

Strike: section 12 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 48, be concurred in. Report adopted.

SB 49, be concurred in. Report adopted.

BUSINESS AND LABOR (Simon, Chairman): 2/17/1999

HB 598, introduced bill, be amended as follows:

1. Page 1, line 19.

Following: "customer"

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Insert: "from being placed on the customer's telephone bill"

2. Page 1, line 22.

Strike: "honor a"

3. Page 1, line 23.

Strike: "by any person other than a customer to"

Insert: "a"

Following: "change"

Strike: "the"

Insert: "in a"

Strike: "carriers"

Insert: "carrier"

4. Page 2, line 7.

Strike: "cause"

Insert: "initiate"

5. Page 2, line 23.

Following: "to"

Insert: "a"

6. Page 3, line 6.

Following: "initiates"

Strike: "billing"

Insert: "charges to be billed on a customer's telephone bill"

Following: "services"

Insert: "or products"

7. Page 3, line 11.

Following: "initiated"

Strike: "billing"

Insert: "charges to be billed on a customer's telephone bill"

8. Page 3, line 13.

Following: "violation"

Insert: ", which must be deposited in the general fund"

9. Page 3, line 14.

Following: "If"

Insert: ", after a hearing held pursuant to the Montana Administrative Procedure Act,"

10. Page 3, line 15.

Following: "charges"

Insert: "to be billed on a customer's telephone bill"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

2/16/1999

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HB 244, introduced bill, be amended as follows:

1. Page 1, line 21.

Strike: "for each day of duty,"

2. Page 1, line 22.

Following: "to"

Insert: ": (a)"

Following: "~~monthly~~"

Insert: "daily"

3. Page 1, line 24.

Following: "rendered"

Insert: ", up to a total of 180 days in a calendar year; and

(b) for each day of duty after 180 days in a calendar year, one-twentieth of the monthly salary then currently applicable to the judicial position in which the duty is rendered minus an amount equal to one-twentieth of the monthly retirement benefit that the retired justice or judge is receiving, if any"

And, as amended, do pass. Report adopted.

STATE/FEDERAL RELATIONS (Curtiss, Chairman):

2/17/1999

HJR 5, be adopted. Report adopted.

HJR 10, introduced joint resolution, be amended as follows:

1. Page 1, line 13.

Strike: "328"

Insert: "at least 352"

Following: "in"

Insert: "at least"

2. Page 3, line 17.

Strike: "55th"

Insert: "56th"

And, as amended, be adopted. Report adopted.

HJR 11, introduced joint resolution, be amended as follows:

1. Page 2, line 3.

Strike: line 3 in its entirety

Insert: "conflict with the state's responsibility for water programs."

2. Page 2, line 7.

Following: "That"

Insert: "Montana's Congressional Delegation be respectfully requested to advocate to the appropriate federal agencies that"

3. Page 2, line 9.

Following: "states"

Following: "and"

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Insert: "that"

4. Page 2, lines 15 and 16.

Following: "and" on line 15

Strike: "without" through "of" on line 16

Insert: "in support of"

5. Page 2, line 17.

Following: "(4)"

Strike: "not interfere"

Insert: "recognize and cooperate"

And, as amended, be adopted. Report adopted.

HJR 19, introduced joint resolution, be amended as follows:

1. Page 1, line 23.

Following: "now"

Strike: "undermining that commitment by"

2. Page 1, line 26.

Strike: "attempting to redefine"

Insert: "redefining"

3. Page 1, line 28 through line 29.

Following: "irreparable" on line 28

Insert: "financial"

Following: "governments," on line 28

Strike: "has" through "harm" on line 29

Following: the first "and" on line 29

Strike: "has" through "of"

4. Page 2, line 8.

Following: "to the"

Insert: "President of the United States, the Secretary of State of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Western Governors' Association, and the"

And, as amended, be adopted. Report adopted.

HJR 26, introduced joint resolution, be amended as follows:

1. Page 1, line 28.

Strike: "one"

Insert: "another"

And, as amended, be adopted. Report adopted.

TAXATION (Hibbard, Chairman):

2/17/1999

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HB 567, introduced bill, be amended as follows:

1. Page 1, line 30.

Following: "the"

Insert: "same or a similar"

And, as amended, do pass. Report adopted.

SB 274, be amended as follows:

1. Page 3, lines 16 through 19.

Strike: "and" on line 16

Insert: "or"

Strike: "that" on line 16 through "MAINTENANCE" on line 19

Insert: "in proportion to the amount of gross income attributable to the property used in the design, manufacture, launch, repair, or maintenance of space vehicles to the total gross income attributable to the property"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/16/1999

SB 111, introduced by DePratu

SB 387, introduced by Wilson

House bills concurred in and returned to the House:

2/16/1999

HB 85, introduced by Simon

HB 137, introduced by Anderson

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 637, introduced by M. Brainard, D. Ewer, H. Harper, J. Mercer, referred to State Administration.

HB 638, introduced by R. Somerville, referred to Taxation.

HB 639, introduced by B. Simon, referred to Business and Labor.

HB 640, introduced by B. Simon, referred to Business and Labor.

HB 641, introduced by C. Squires (by request of the House Business and Labor Committee), referred to Business and Labor.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 32, introduced by P. Sliter, J. Barnett, R. Bitney, S. Bookout-Reinicke, R. Brown, D. Ewer, C. Juneau, B. Krenzler, B. Lawson, G. Masolo, G. Matthews, J. McKenney, B. Pavlovich, B. Simon, C. Squires, J. Stovall, C. Trexler, C. Tuss (by request of the House Business and Labor Committee), referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

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Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Masolo in the chair.

Speaker Pro Tempore Mood: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 21 - Representative Lawson moved **HJR 21** be adopted. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: Adams, E. Bergsagel, Curtiss, Jore, McGee, Molnar, Orr, Shockley, Trexler, Wagner.

Total 10

Excused: None.

Total 0

Absent or not voting: Masolo.

Total 1

HJR 20 - Representative Quilici moved **HJR 20** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: E. Bergsagel, P. Bergsagel, Jore, McGee, Molnar, Orr, Rehbein, Wagner.

Total 8

Excused: None.

Total 0

Absent or not voting: Masolo.

Total 1

HB 571 - Representative McCann moved **HB 571** do pass. Motion carried as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Grinde.
Total 1

HB 480 - Representative Johnson moved **HB 480** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Hibbard, Jackson, Wagner.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 557 - Representative Ewer moved **HB 557** do pass.

HB 557 - Representative Ewer moved **HB 557**, second reading copy, be amended as follows :

1. Page 2, line 7.

Following: "benefits."

Insert: "This subsection may not be construed to restrict the scope of discovery of health care information as allowed under the rules of civil procedure, rules of the workers' compensation court, or as otherwise provided by law."

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Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: McGee, Orr, Rehbein, Shockley, Trexler, Wagner.

Total 6

Excused: None.

Total 0

Absent or not voting: Hanson, Williams.

Total 2

Motion that **HB 557**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Brainard, McGee, Wagner.

Total 3

Excused: None.

Total 0

Absent or not voting: Bitney, Molnar.

Total 2

HB 581 - Representative Cobb moved **HB 581** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann,

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McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 98

Noes: Molnar.
Total 1

Excused: None.
Total 0

Absent or not voting: Tuss.
Total 1

HB 454 - Representative Soft moved **HB 454** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 91

Noes: Adams, E. Bergsagel, P. Bergsagel, Curtiss, Jore, Kasten, Orr, Rehbein, Story.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 411 - Representative Ewer moved **HB 411** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: Adams, Fuchs, Jore, Kasten, McGee, Orr, Wagner.
Total 7

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Excused: None.
Total 0

Absent or not voting: Fisher.
Total 1

HB 241 - Representative Ryan moved **HB 241** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 90

Noes: E. Bergsagel, P. Bergsagel, Curtiss, Jore, Kasten, McCann, McGee, Orr, Rehbein, Wagner.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 362 - Representative Schmidt moved **HB 362** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: E. Bergsagel, P. Bergsagel, Davies, Jore, McGee, Orr, Rehbein, Wagner.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 502 - Representative Ohs moved **HB 502** do pass. Motion carried as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: P. Bergsagel, Jore, Orr.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 130 - Representative Story moved **HB 130** do pass.

HB 130 - Representative Story moved **HB 130**, second reading copy, be amended as follows :

1. Title, line 8 through line 9.

Strike: "SUBMITTING" on line 8 through "PROVISION;" on line 9

2. Title, line 10.

Following: "PROVIDING"

Insert: "CONTINGENT"

3. Page 1, line 19 through line 27.

Strike: section 2 in its entirety

Renumber: subsequent sections

4. Page 2, line 5 through line 7.

Strike: section 5 in its entirety

Renumber: subsequent section

5. Page 2, line 9 through line 13.

Strike: "Effective" on line 9

Insert: "Contingent effective"

Strike: "If" on line 9 through "1999" on line 13

Insert: "If Constitutional Initiative No. 75, enacting Article VIII, section 17, of the Montana constitution, is declared invalid, including the provision requiring a public vote on tax increases, then [this act] is effective on the date of declared invalidity"

6. Page 2, line 14.

Strike: "[Sections 3 and 4]"

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Insert: "Subject to the contingency in subsection (1), [sections 2 and 3]"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **HB 130**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Jore, Orr, Wagner, Wyatt.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HR 2 - Representative Hurdle moved **HR 2** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey,

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Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: P. Bergsagel, Lawson, McGee, Vick.

Total 4

Excused: None.

Total 0

Absent or not voting: Barnhart.

Total 1

HB 514 - Representative Somerville moved **HB 514** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, Jore, Orr, Rehbein, Shockley, Sliter, Vick.

Total 7

Excused: None.

Total 0

Absent or not voting: Gillan, Tuss.

Total 2

HB 553 - Representative Thomas moved **HB 553** do pass. Motion failed as follows:

Ayes: Ahner, J. Andersen, Brainard, E. Clark, R. Clark, Dale, Fisher, Fuchs, Galvin-Halcro, Grinde, Guggenheim, Haines, Hedges, Jackson, Mangan, Masolo, McKenney, Menahan, Mood, Noennig, Ohs, Rose, Ryan, Simon, Sliter, Somerville, Tash, Thomas, Tuss, Wyatt, Mr. Speaker.

Total 31

Noes: Adams, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Gillan, Golie, Gutsche, Hagener, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Matthews, McCann, McCulloch, McGee, Molnar, Orr, Pavlovich, Peck, Quilici, Raney,

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Rehbein, Schmidt, Shockley, Smith, Soft, Squires, Story, Stovall, Swanson, Taylor, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook.

Total 68

Excused: None.

Total 0

Absent or not voting: E. Bergsagel.

Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tempore Mood in the chair. Chairman Masolo moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Rehbein.

Total 1

Excused: None.

Total 0

Absent or not voting: Masolo, Swanson, Thomas, Witt.

Total 4

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 275 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 74

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, Brown, R. Clark, Curtiss, Davies, Fisher,

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Hanson, Jore, Kasten, McGee, McKenney, Mood, Rehbein, Sliter, Somerville, Story, Taylor, Trexler, Vick, Wagner, Walters.

Total 25

Excused: None.

Total 0

Absent or not voting: Cobb.

Total 1

HB 459 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Buzzas, Galvin-Halcro, Gutsche, Peck, Schmidt, Tuss.

Total 6

Excused: None.

Total 0

Absent or not voting: Cobb.

Total 1

HB 492 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: E. Bergsagel, P. Bergsagel, Davies, Jore, McGee, Mood, Noennig, Orr, Rehbein, Story, Vick, Wagner.

Total 12

Excused: None.

Total 0

Absent or not voting: Cobb.

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Total 1

HB 558 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: Adams, Galvin-Halcro, Hurdle, Jore, McCann, McGee, Orr, Peck, Rehbein, Wagner, Wyatt.

Total 11

Excused: None.

Total 0

Absent or not voting: Cobb.

Total 1

SB 10, as amended by the House, concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, Galvin-Halcro, Hurdle, Jore, McGee, Molnar, Orr, Rehbein, Wagner.

Total 9

Excused: None.

Total 0

Absent or not voting: Cobb.

Total 1

MOTIONS

Representative Ryan requested on **HB 502**, 2nd reading today, that his vote be shown as yes. There being no objections, so ordered.

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Representative Gallus requested on **HJR 21**, 2nd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Noennig requested on **HB 379**, 2nd reading on Legislative Day 38, that his vote be shown as yes. There being no objections, so ordered.

Representative Thomas requested on **HJR 16**, 3rd reading on Legislative Day 38, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Kitzenberg requested on **SB 171**, 2nd reading on Legislative Day 38, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Grinde moved that **SB 131** be taken from the Committee on Fish, Wildlife and Parks and be rereferred to the Committee on Business and Labor. Motion carried.

SPECIAL ORDERS OF THE DAY

The following cosponsors have been added to **HB 637**: Representatives R. Clark, Davies, Facey, Kitzenberg, Molnar, Mood, Orr, Rehbein, and Walters.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 9:00 a.m., Thursday, February 18, 1999. Motion carried.

House adjourned at 2:55 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker Pro Tempore of the House

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Helena, Montana
February 18, 1999

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Facey. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Dale, Davies, and Molnar. Quorum present.

COMMUNICATIONS AND PETITIONS

**A JOINT PROCLAMATION OF THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF THE STATE OF MONTANA**

WHEREAS, Mindi Kimp, an esteemed resident of Corvallis, Montana and a senior at Hamilton High School, has achieved national recognition for exemplary volunteer service by receiving a 1999 Prudential Spirit of Community Award; and

WHEREAS, this prestigious award, presented by The Prudential Insurance Company of America in partnership with the National Association of Secondary School Principals, honors young volunteers across America, who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Mindi Kimp earned this award by coordinating a "senior citizen prom" the night before her high school prom for seniors living in Missoula and Ravalli counties. Mindi, a 4-H member and junior class president, enjoys a very close relationship with her grandparents. While planning her high school prom, the idea of hosting one for senior citizens struck her as a great way to honor grandparents and help restore their faith in today's younger generation. In addition to convincing the student council that it was a worthwhile cause, Mindi had to work closely with the local Council on Aging for its ideas and assistance. Determined that no senior citizen would be charged to attend, Mindi solicited donations for prizes, decorations and flowers so every woman would receive a rose. She promoted the event through local newspapers and radio stations and hired a local band to play big band music. "It was truly enchanting to see senior citizens dancing with high school students," said Mindi. The event was so successful that Mindi has been asked to speak at the State Student Council Convention to advise others on how to plan a senior citizen prom, an event that will now be held annually at Hamilton High School.

WHEREAS, the success of the State of Montana, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Mindi Kimp who use their considerable talents and resources to serve others, the Montana State Legislature is pleased to recognize and honor her talents and generosity.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the congratulations of all Montanans be extended to Mindi Kimp as a recipient of a Prudential Spirit of Community Award, recognizes her outstanding record of volunteer service, peer leadership and community spirit, and extends best wishes for her continued success and happiness.

Signed by Representatives Mercer, Shockley, Swanson, Trexler, and Walters, and Senators Berry, Crippen, Doherty, and Thomas.

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REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/18/1999
Correctly printed: **HB 244, HB 373, HB 503, HB 527, HB 531, HB 567, HB 598, HB 615, HB 639, HB 640, HJR 5, HJR 10, HJR 11, HJR 19, HJR 26, HJR 27, SB 48, SB 49, SB 274.**
Correctly engrossed: **HB 115, HB 130, HB 241, HB 362, HB 411, HB 454, HB 480, HB 502, HB 514, HB 557, HB 571, HB 581, HJR 20, HJR 21.**
Correctly enrolled: **HB 36, HB 141, HJR 2.**
Examined by the sponsor and found to be correct: **HB 36, HB 141, HR 2.**
Signed by the Speaker at 4:47 p.m., February 17, 1999: **HB 85, HB 93, HB 137, HB 138, HB 139, HB 175, HB 194.**

AGRICULTURE (Barnett, Chairman): 2/17/1999
HB 345, introduced bill, be amended as follows:

1. Title, line 7 and line 8.
Strike: "REQUIRING" on line 7 through "SERVICES;" on line 8
2. Title, line 8.
Strike: "AN"
Insert: "CERTAIN"
Strike: "OPERATION"
Insert: "OPERATIONS"
3. Title, line 10.
Strike: "AN"
Insert: "A DELAYED"
4. Page 1, line 18.
Strike: "certified" through "weeds"
Insert: "obtained from a source operating in accordance with an approved noxious weed management plan approved"
5. Page 1, line 19 and line 20.
Strike: "are" on line 19 through "materials" on line 20
Insert: "will be used"
6. Page 1, line 21.
Following: "a"
Insert: "statewide"
7. Page 1, line 22.
Following: "7-22-2121(2)"
Insert: "and 7-22-2151. The department shall incorporate the noxious weed management plan into county agreements for gravel yards, stock piles, or other soils or aggregates used in road construction and maintenance"

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8. Page 1, line 30.

Strike: "does not have"

Insert: "provides gravel yards, stock piles, or other soils or aggregates for use in the construction and maintenance of a federal-aid highway or a state highway, until the operator has "

9. Page 2, line 1 through line 3.

Strike: "The" on line 1 through "board." on line 3

10. Page 3, line 23.

Following: "(e)"

Insert: "if the operator provides gravel yards, stock piles, or other soils or aggregates used in road construction and maintenance,"

Following: "operator's"

Insert: "approved"

11. Page 3, line 23 through line 25.

Strike: "with" on line 23 through "site" on line 25

12. Page 4, line 16.

Strike: "1999"

Insert: "2001"

And, as amended, do pass. Report adopted.

HB 373, do pass. Report adopted.

HB 499, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AND TRESPASS PROBLEMS"

2. Title, line 8.

Strike: "AND A TRESPASS CONTROL PLAN"

3. Title, line 9.

Strike: "PLANS"

Insert: "PLAN"

4. Title, line 12.

Strike: "AND TRESPASS CONTROL PLANS ARE"

Insert: "PLAN IS"

5. Title, line 13.

Following: "OF"

Insert: "A "

Strike: "AND TRESPASS CONTROL PLANS"

Insert: "PLAN"

6. Title, line 14 through line 15.

Strike: "PROVIDING" on line 14 through "IS" on line 15

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Insert: "CLARIFYING THE RESPONSIBILITY FOR PROPERTY THAT IS"

7. Page 1, line 19.

Strike: "and trespass control plans"

Insert: "plan"

8. Page 1, line 20.

Strike: "and trespass control plans"

Insert: "plan"

9. Page 1, line 21.

Strike: "and a plan for trespass control"

10. Page 1, line 27 through line 28.

Strike: the second "and" on line 27 through "plan" on line 28

11. Page 1, line 29.

Strike: "plans"

Insert: "plan"

12. Page 1, line 29 through line 30.

Strike: "and" on line 29 through "measures" on line 30

13. Page 2, line 2 through line 3.

Strike: "The" on line 2 through "vehicles." on line 3

14. Page 2, line 5 through line 7.

Strike: "conducted" on line 5 through "process" on line 7

15. Page 2, line 8.

Strike: "and trespass problems"

16. Page 2, line 10.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

17. Page 2, line 15 through line 16.

Strike: subsection (e) in its entirety

Renumber: subsequent subsections

18. Page 2, line 18.

Following: "techniques;"

Insert: "and"

19. Page 2, line 19.

Strike: subsection (g) in its entirety

Renumber: subsequent subsection

20. Page 2, line 20 through line 21.

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Strike: ", trespass" on line 20 through "activities," on line 21

Strike: "and trespass" on line 21

Strike: the forth "and" on line 21

21. Page 2, lines 22 through 23.

Strike: "trespass" on line 22

Strike: "a record of complaints," on line 22

Following: "infestations," on line 22

Strike: "erosion" on line 22 through "damage" on line 23

22. Page 2, line 25.

Strike: "and erosion control"

23. Page 2, line 26.

Strike: "-- categorical" through "prohibited"

Strike: "(1)"

24. Page 2, line 30 through page 3, line 3.

Strike: subsections (2) and (3) in their entirety

25. Page 3, line 7.

Following: "of"

Insert: "a"

Strike: "and trespass control plans"

Insert: "plan"

26. Page 3, line 9.

Strike: "and trespass control"

27. Page 3, line 12.

Strike: "(1)"

28. Page 3, line 17 through line 19.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

HB 503, do pass. Report adopted.

HB 531, do pass. Report adopted.

HB 577, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AGRICULTURAL"

Insert: "AGRICULTURE"

2. Page 3, lines 10, 12, and 14.

Strike: "agricultural"

Insert: "agriculture"

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3. Page 4, line 3.

Strike: "agricultural"

Insert: "agriculture"

And, as amended, do pass. Report adopted.

HJR 27, be adopted. Report adopted.

APPROPRIATIONS (Zook, Chairman):

2/18/1999

HB 185, introduced bill, be amended as follows:

1. Title, page 1, line 8 through line 10.

Following: the second "AUTHORITY;" on line 8

Strike: the remainder of line 8 through "PROGRAM;" on line 10

2. Page 1, line 18.

Strike: "citizens"

Insert: "inmates"

3. Page 9, line 8 through line 10.

Strike: section 12 in its entirety

Renumber: subsequent sections

4. Page 9, line 16.

Strike: "13"

Insert: "12"

5. Page 9, line 19.

Strike: line 19 in its entirety

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Simon, Chairman):

2/18/1999

HB 181, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Following: "TO" on line 5

Strike: the remainder of line 5 through "CONSENTED" on line 6"

Insert: "OBTAIN A CONSUMER'S CONSENT"

2. Title, line 7.

Following: "MANUFACTURER"

Insert: "; AND ALLOWING INSURERS TO REQUIRE A CONSUMER TO PAY THE ADDITIONAL
COST OF PARTS MADE BY THE MANUFACTURER FOR THE REPAIR OF A MOTOR
VEHICLE THAT IS OVER 5 MODEL YEARS OLD"

3. Page 1, line 11.

Following: "through"

Strike: "6"

Insert: "5"

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4. Page 1, line 12.

Strike: "Disclosure and"

5. Page 1, line 14.

Strike: "6"

Insert: "5"

6. Page 1, lines 15 and 16.

Following: "by" on line 15

Strike: the remainder of line 15 through "before" on line 16

Insert: "establishing that"

Following: "may"

Insert: "not"

7. Page 1, line 18.

Following: "manufacturer"

Insert: "without the express written consent of the insured if the insured's motor vehicle is 5 model years old or newer"

8. Page 1, line 20.

Strike: "6"

Insert: "5"

9. Page 1, lines 22 and 23.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

10. Page 1, line 27 through line 1 on page 2.

Strike: subsections (4) and (5) in their entirety

Insert: "(3) 'Original manufacturer's equipment part' means a replacement crash part that has been manufactured by the original manufacturer of the motor vehicle or by a licensed affiliate of the original manufacturer.

(4) 'Replacement crash part' is a replacement for the nonmechanical sheet metal, fiberglass, or plastic parts that generally constitute the exterior of a motor vehicle, including inner and outer panels."

11. Page 2, line 3.

Following: "requirements."

Insert: "(1)"

12. Page 2, line 4.

Following: "any"

Strike: "after market, recycled, or remanufactured"

Insert: "crash repair"

Following: "part"

Insert: "that is not an original manufacturer's equipment part"

13. Page 2, line 6 through line 15.

Strike: subsections (1) through (4) in their entirety

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Insert: "(a) for a motor vehicle that is 5 model years old or newer, the consumer has given express written consent; or

(b) for a motor vehicle that is older than 5 model years, the consumer has signed a consent form that lists the specific nonoriginal manufacturer's equipment parts that are being consented to by the consumer.

(2) If a consumer does not consent to the use of any parts that are not original manufacturer's equipment parts in the repair of a motor vehicle that is older than 5 model years, the insurer may require the consumer to pay the cost difference between original manufacturer's equipment parts and parts recommended by the insurer."

14. Page 2, lines 17 through 29.

Strike: section 5 in its entirety

Renumber: subsequent sections

15. Page 3, line 1.

Strike: "5"

Insert: "4"

16. Page 3, line 9.

Strike: "6"

Insert: "5"

17. Page 3, line 11.

Strike: "6"

Insert: "5"

And, as amended, do pass. Report adopted.

HB 395, introduced bill, be amended as follows:

2/17/1999

1. Title, page 1, lines 5 and 6.

Following: "39-51-2101" on line 5

Strike: ", 39-51-2104,"

Insert: "AND"

Strike: "AND 39-51-2304," on line 6

2. Page 1, line 17 through page 2, line 22.

Strike: section 2 in its entirety

Renumber: subsequent sections

3. Page 3, line 1 through page 4, line 6.

Strike: section 4 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 506, introduced bill, be amended as follows:

2/18/1999

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1. Page 2, line 27.
Strike: "lowest"
2. Page 3, line 5.
Strike: "Lowest prevailing"
Insert: "Prevailing"
3. Page 3, lines 6 and 7.
Strike: "lowest" in 3 places
4. Page 3, line 19.
Strike: "lowest"
5. Page 4, line 6.
Following: "insured"
Insert: "or a claimant"
6. Page 4, line 8.
Following: "person"
Insert: "or a claimant"
7. Page 4, line 9.
Following: "person"
Insert: "or a claimant"
8. Page 4, lines 20, 21, and 23.
Strike: "customer" in 3 places
Insert: "claimant" in 3 places
9. Page 4, line 22.
Following: " ; "
Insert: "or"
10. Page 4, line 24.
Strike: "customer"
Insert: "claimant"
11. Page 4, lines 25 through 28.
Following: "safety" on line 25
Strike: the remainder of line 25 through "insurer" on line 28
12. Page 4, line 29.
Following: "insurer"
Strike: "provides"
Insert: "elects to provide"
13. Page 4, line 29.
Following: "person"

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Insert: "or a claimant"

14. Page 5, line 1.

Strike: "file in writing with the commissioner"

Insert: "upon the request of any automobile repair business or location, make available"

15. Page 5, line 3.

Following: "standards"

Strike: "must be available to the public and may not include as criteria"

Insert: "may not exclude a business or location from being on the list solely on the basis of"

16. Page 5, lines 7 and 8.

Following: second "location" on line 7

Strike: "intends" on line 7 through "and" on line 8

Insert: "meets the standards and desires to"

17. Page 5, line 13.

Strike: "60"

Insert: "30"

18. Page 5, line 21.

Following: second "location"

Strike: "at least"

Insert: "a maximum of"

19. Page 5, line 24.

Strike: "filed with the commissioner for public inspection"

Insert: "promptly given to each automobile repair business or location on the list"

20. Page 5, line 27.

Following: "insured's"

Insert: "or claimant's"

Following: "discretion"

Strike: ", and the"

Insert: ". The"

21. Page 5, line 30.

Strike: "lowest"

22. Page 6, line 1.

Following: "person"

Insert: "or claimant"

Following: "person's"

Insert: "or claimant's"

23. Page 6, line 2.

Following: "subsection"

Strike: "and may not mention a particular automobile repair business or location"

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24. Page 6, line 3.

Following: "person"

Insert: "or claimant"

25. Page 6.

Following: line 22

Insert: "NEW SECTION. Section 7. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 526, introduced bill, be amended as follows:

2/17/1999

1. Title, line 5.

Strike: "AND"

Following: "LICENSURE,"

Insert: "LICENSE AND EXAMINATION FEES,"

2. Title, line 7.

Following: "PENALTIES"

Insert: "; AMENDING SECTION 32-5-103, MCA; AND PROVIDING AN EFFECTIVE DATE"

3. Page 1, lines 11, 14, 17, and 22.

Strike: "14"

Insert: "15"

4. Page 2, lines 10, 12, and 23.

Strike: "14"

Insert: "15"

5. Page 2.

Following: line 19

Insert: "(2) An applicant for a license to engage in the business of making deferred deposit loans shall pay to the department a license application fee of \$375.

(3)"

Renumber: subsequent subsections

6. Page 2, line 25.

Following: the second "applicant"

Strike: the remainder of line 25 in its entirety

7. Page 2, line 27.

Following: "deferred"

Strike: "payment"

Insert: "deposit"

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8. Page 3, lines 1, 4, 16, 27, and 30.

Strike: "14"

Insert: "15"

9. Page 3, lines 8 through 11.

Strike: subsection (5) in its entirety

10. Page 3, line 12.

Insert: "NEW SECTION. Section 6. Annual examinations -- fee. (1) The department shall conduct annually an examination of each licensee's deferred deposit lending operation to ensure that the licensee is in compliance with the provisions of [sections 1 through 15].

(2) A licensee shall pay the department a fee in the amount of \$300 a day for each examiner required to conduct an annual examination.

(3) A licensee shall make available to a department examiner the information required under [section 9] or as required by rule.

(4) Completion of an annual examination must, in the absence of the department's finding just cause to revoke or suspend a license, constitute grounds for license renewal."

Renumber: subsequent sections

11. Page 4, lines 1 and 5.

Strike: "14"

Insert: "15"

12. Page 4, lines 22 and 23.

Strike: subsection (f) in its entirety

Renumber: subsequent subsections

13. Page 5, line 4.

Strike: "14"

Insert: "15"

14. Page 5, line 9.

Following: "of the"

Strike: "contract"

Insert: "disclosure documents"

Strike: "9"

Insert: "10"

15. Page 5, lines 14 through 17.

Following: "loan" on line 14

Strike: the remainder of line 14 through "charge." on line 17

Insert: "may not have a term that exceeds 31 days."

16. Page 5, line 18.

Strike: "(3)"

Insert: "(2)"

Following: "loan"

Insert: ", exclusive of the fee allowed in [section 12(2)],"

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17. Page 5, lines 19 and 20.

Strike: "subsection (4) in its entirety"

Renumber: subsequent subsections

18. Page 5, lines 24 through 27.

Strike: subsection (7) in its entirety

Renumber: subsequent subsections

19. Page 5, line 29.

Strike: "10"

Insert: "11"

20. Page 6, line 16.

Strike: "name and title of"

Insert: "initials or other written means of identifying"

21. Page 6, line 18.

Strike: "subsection (c) in its entirety"

Renumber: subsequent subsections

22. Page 6, line 19.

Following: "loan;"

Insert: "and"

23. Page 6, lines 20 through 22.

Strike: subsection (e) in its entirety

Renumber: subsequent subsection

24. Page 6, line 30.

Following: "charge"

Strike: "more than a \$5 administrative"

Insert: "a"

25. Page 7, line 1.

Following: "consumer"

Insert: "that exceeds 25% of the face amount of the check against which the delayed deposit loan is advanced"

26. Page 7, lines 2 through 8.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

27. Page 7, line 10 and 11.

Following: "exceed" on line 10

Strike: the remainder of line 10 through "institution" on line 11

Insert: "\$15"

28. Page 7, lines 14 and 15.

Strike: "subsection (5) in its entirety"

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Insert: "(4) If the disclosure documents in [section 11] require, reasonable attorney fees and court costs may be awarded to the party in whose favor a final judgment is rendered in any action on a deferred deposit loan entered into pursuant to [sections 1 through 15]."

29. Page 7, line 26.

Strike: "14"

Insert: "15"

30. Page 8, lines 2 and 3.

Following: "consumer's"

Insert: "monthly"

Following: "income"

Strike: "for the term of the loan"

31. Page 8, line 9.

Strike: subsection (10) in its entirety

Renumber: subsequent subsections

32. Page 8, line 11.

Following: "to"

Strike: "another"

Insert: "the"

Following: "licensee,"

Insert: "exclusive of the fee allowed in [section 12(2)],"

33. Page 8, lines 12 and 13.

Following: "loan." on line 12

Strike: the remainder of line 12 and line 13 in their entirety

34. Page 8, line 15.

Following: "outstanding"

Insert: "with the licensee"

35. Page 8, lines 17 through 20.

Following: "consumer." on line 17

Strike: the remainder of line 17 through "days." on line 20

36. Page 8, lines 24 and 28.

Strike: "14"

Insert: "15"

37. Page 8, line 24.

Strike: ":"

Insert: "charges for insurance."

38. Page 8.

Strike: lines 25 and 26 in their entirety

39. Page 9, line 1.

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Strike: "9"
Insert: "10"

40. Page 9, lines 10, 15, 16, 20, 24, 25, 27, and 30.
Strike: "14"
Insert: "15"

41. Page 9, line 10.
Strike: ";"
Insert: "."

42. Page 9, lines 11 and 12.
Strike: subsection (18) in its entirety

43. Page 9, lines 17 through 19.
Strike: subsection (3) in its entirety
Renumber: subsequent subsections

44. Page 10, line 3.
Insert: "**Section 16.** Section 32-5-103, MCA, is amended to read:

"32-5-103. Engaging in business of making consumer loans restricted. (1) Except as provided in subsection (5), a person may not engage in the business of making consumer loans or advances of money on credit in any amount and contract for, charge, or receive directly or indirectly on or in connection with any loan or advance any charges, whether for interest, compensation, consideration, or expense, except as provided in and authorized by this chapter. A person engaged in business as a licensed pawnbroker may not become a licensee under this chapter. The provisions of this chapter do not apply to any exempted person.

(2) A licensee may sell its business and assets to a bank, building and loan association, savings and loan association, trust company, credit union, credit association, development credit corporation, or bank holding company organized pursuant to state or federal statutory authority and subject to supervision, control, or regulation by an agency of the state of Montana or an agency of the federal government. All contracts for loans and all other contracts entered into by the licensee pursuant to the provisions of this chapter that are sold and transferred to an acquiring organization continue to be governed by the provisions of this chapter.

(3) The provisions of subsection (1) apply to any person who seeks to evade its applications by any device, subterfuge, or pretense.

(4) Any act by a licensee in the making of a contract or in the collection of a loan made under the contract that violates the provisions of this chapter is void. The licensee has no right to collect, receive, or retain any principal, interest, or charges.

(5) A consumer loan licensee or a person who seeks a regulated lender exemption under 31-1-112 as a consumer loan licensee shall fully comply with this chapter. A regulated lender as defined in 31-1-111, other than a consumer loan licensee, or a lender who complies with the provisions of Title 31, chapter 1, part 1, is not required to comply with this chapter. A deferred deposit lender, as defined in [section 3], who complies with the provisions of [sections 1 through 15] is not required to comply with this chapter."

Renumber: subsequent sections

44. Page 10, lines 4 and 6.
Strike: "14"
Insert: "15"

45. Page 10, line 12.

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Insert: "NEW SECTION. Section 19. Contingent voidness. (1) If [LC 1841] or [LC 1842] is submitted to and not approved by the electorate, then [sections 1 through 15 of this act] are void.

(2) If Constitutional Initiative No. 75, enacting Article VIII, section 17, of the Montana constitution, is declared invalid, then [LC 1841], [LC 1842], and this section are void."

Renumber: subsequent sections

Insert: "NEW SECTION. Section 20. Effective date. [This act] is effective July 1, 1999."

And, as amended, do pass. Report adopted.

HB 529, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "PARTIALLY OR"

2. Title, line 6.

Following: "RESERVATION"

Insert: "OR THAT HAVE AN ENROLLMENT OF GREATER THAN 50 PERCENT INDIAN STUDENTS"

3. Page 1, line 13.

Following: "located"

Strike: "partially or"

4. Page 1, line 14.

Following: "reservation"

Insert: "or that has an enrollment composed of greater than 50% Indian students"

And, as amended, do pass. Report adopted.

HB 592, introduced bill, be amended as follows:

2/18/1999

1. Title, lines 9 through 11.

Following: "WAGES;" on line 9

Strike: the remainder of line 9 through "COURT;" on line 11

2. Title, line 20.

Strike: "39-51-201,"

3. Title, line 21.

Strike: "39-51-301, 39-51-603," "39-51-2403, 39-51-2405, 39-51-2407, 39-51-2410, 39-51-3101,"

4. Title, line 22.

Strike: "39-51-3104,"

5. Title, line 24.

Following: "SECTIONS"

Strike: "2-15-1704,"

6. Title, line 25.

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Strike: "EFFECTIVE DATES,"

Insert: "AN IMMEDIATE EFFECTIVE DATE AND AN"

7. Title, line 26.

Following: "APPLICABILITY"

Strike: "DATES, AND A TERMINATION"

8. Page 6, line 3 through page 12, line 1.

Strike: sections 8, 9, and 10 in their entirety

Renumber: subsequent sections

9. Page 12, line 19 through page 16, line 14.

Strike: sections 12 through 18 in their entirety

Renumber: subsequent sections

10. Page 31, line 29.

Strike: "2-15-1704,"

11. Page 32, lines 6 through 12.

Strike: section 37 in its entirety

Insert: "NEW SECTION. **Section 27. Effective date.** [This act] is effective on passage and approval."

12. Page 32, line 10.

Strike: "(1)"

13. Page 32, line 11.

Strike: "sections 3 and 5"

Insert: "this act"

14. Page 32, line 12.

Strike: subsection (2) in its entirety

15. Page 32, line 18.

Strike: "30 through 34"

Insert: "20 through 24"

16. Page 32, line 19.

Following: "occurring"

Strike: "on or after"

Insert: "before"

Strike: "sections 30 through 34"

Insert: "this act"

Following: "34]"

Insert: "unless a party elects, after notification by the department of labor and industry, to remain in the contested case process"

17. Page 32, line 21.

Strike: section 40 in its entirety

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And, as amended, do pass. Report adopted.

HB 615, do pass. Report adopted.

2/17/1999

HB 639, do pass. Report adopted.

HB 640, do pass. Report adopted.

EDUCATION (Masolo, Chairman):

2/18/1999

HB 588, introduced bill, be amended as follows:

1. Title, line 5.

Following: "TEACHER"

Strike: "OR"

Insert: ", "

Following: "SPECIALIST"

Insert: ", OR ADMINISTRATIVE"

2. Page 1, line 12.

Following: "teacher"

Strike: "or"

Insert: ", "

Following: "specialist"

Insert: ", or administrative"

Following: "certificate"

Insert: ", classes one through seven, and for any other certificate established after [the effective date of this act] who has never previously been issued a certificate of any kind by the superintendent of public instruction in the state of Montana"

3. Page 1, line 24 and line 26.

Strike: "\$35" in both places

Insert: "\$60"

4. Page 1, line 25 and 27.

Following: "teacher"

Strike: "or"

Insert: ", "

Following: "specialist"

Insert: ", or administrative"

And, as amended, do pass. Report adopted.

HB 590, introduced bill, be amended as follows:

1. Title, line 13.

Following: "CHECK;"

Insert: "AUTHORIZING A BUSINESS OR ORGANIZATION THAT PROVIDES SERVICES TO CHILDREN TO REQUIRE CONSENT TO FINGERPRINTING AND A BACKGROUND CHECK BY AN APPLICANT FOR A PAID OR VOLUNTEER POSITION; AUTHORIZING A BUSINESS OR ORGANIZATION TO IMPOSE A FEE FOR FINGERPRINTING AND CONDUCTING A

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BACKGROUND CHECK;"

2. Page 2, line 5.

Strike: "2-4-110"

Insert: "20-4-110(1)(e)"

3. Page 2, line 7.

Strike: "license"

Insert: "certification"

4. Page 2, line 13.

Strike: "license" in two places

Insert: "certificate"

5. Page 2, line 15 through line 17.

Strike: subsection (d) in its entirety

6. Page 2, line 18.

Strike: "\$35"

Insert: "\$60"

7. Page 2, line 19.

Following: "check."

Insert: "The fee must be deposited in the special revenue account established in [section 2]."

8. Page 2.

Following: line 19

Insert: "NEW SECTION. **Section 2. Special revenue account -- use of funds.** (1) There is an account in the state special revenue fund for the purpose of processing fingerprints and conducting background checks of applicants for certification under [section 1]. Money from fees for fingerprinting and conducting background checks required in [section 1] must be deposited in the account.

(2) Money in the account must be used for the additional personnel that are necessary to carry out the superintendent of public instruction's obligation to process fingerprints and conduct background checks of applicants for certification under [section 1] and to defray the expenses of the superintendent of public instruction in discharging the administrative duties in relation to [section 1].

(3) Any excess fees must be deposited in the general fund."

Renumber: subsequent sections

9. Page 2, line 30.

Strike: "\$35"

Insert: "\$32"

Following: "check"

Insert: "and shall deposit the fee in the special revenue account established in [section 5]"

10. Page 3.

Following: line 2

Insert: "NEW SECTION. **Section 4. Fingerprinting and background checks for businesses or organizations providing services to children -- fee.** (1) A business or organization that provides care,

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treatment, education, training, instruction, supervision, or recreation for children may require an applicant for a paid or volunteer position with the business or organization to consent to fingerprinting and a background check as a condition of application.

(2) The business or organization may assess a fee of \$32 for fingerprinting and conducting the background check. The fee must be deposited in the special revenue account established in [section 5]."

Insert: "NEW SECTION. Section 5. Special revenue account -- use of funds. (1) There is an account in the state special revenue fund for the purpose of processing fingerprints received under [sections 1, 3, and 4]. Fees paid for the processing of fingerprints by the department of justice for any public or private agency, organization, or business under the provisions of [sections 1, 3, and 4] must be deposited in the account.

(2) Money in the account must be used for the additional personnel that are necessary to carry out the department of justice's obligation to process fingerprints received under [sections 1, 3, and 4] and to defray the expenses of the department of justice in discharging its administrative duties in relation to fingerprint processing under [sections 1, 3, and 4].

(3) At the end of each fiscal year, any excess fees must be deposited in the general fund that exceed a 60-day working capital reserve."

Renumber: subsequent sections

11. Page 3, line 20.

Following: ";

Insert: "and"

12. Page 3, line 21.

Strike: "licensing"

Insert: "certification"

13. Page 3, line 22.

Following: "20"

Strike: ";

Insert: ", subject to the limitations in [section 1]."

14. Page 3, line 23.

Strike: "(c) the"

Insert: "(3)(a) The"

Strike: "for" through "to"

Insert: "under [section 3] may submit fingerprints to the department of justice of"

15. Page 3, line 26.

Strike: ";

Insert: ". In submitting the fingerprints for processing, the trustees shall include a signed statement of the applicant whose fingerprints are submitted that includes:

(i) the name, address, and date of birth of the applicant; (ii) confirmation that the applicant claims to not have been convicted of any crime or a complete description of the circumstances if the prospective employee or volunteer admits to having been convicted of a crime;

(iii) notification to the applicant that the trustees may request a background check;

(iv) notification to the applicant of the right to obtain a copy of the report and challenge its accuracy;

and

(v) notification to the applicant that prior to the completion of the check, regular unsupervised access to children may be limited or denied.

(b) Upon receipt of a set of fingerprints and the additional information required under this subsection

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(3), the department of justice shall review state and federal records through the federal bureau of investigation. The department of justice shall report to the trustees whether the applicant has been convicted of or is under pending charges for any crime involving violence, a sexual offense, the sale or distribution of illegal drugs, theft, or fraud."

16. Page 3, line 27.

Strike: "~~(d) a~~"

Insert: "(4)(a) A"

17. Page 3, line 27 and line 28.

Strike: "provides" on line 27 through "voluntary" on line 28

Insert: "qualifies under [section 4] may submit fingerprints to the department of justice of applicants for paid or volunteer positions. In submitting the fingerprints for processing, the business or organization shall include a signed statement of the applicant whose fingerprints are submitted that includes:

(i) the name, address, and date of birth of the applicant;

(ii) confirmation that the applicant claims to not have been convicted of any crime or a complete description of the circumstances if the applicant admits to having been convicted of a crime;

(iii) notification to the applicant that the business or organization may request a background check;

(iv) notification to the applicant of the right to obtain a copy of the report and challenge its accuracy;

and

(v) notification to the applicant that prior to the completion of the background check, regular unsupervised access to children may be limited or denied.

(b) Upon receipt of a set of fingerprints and the additional information required under this subsection (4), the department of justice shall review state and federal records through the federal bureau of investigation. The department of justice shall report to the business or organization whether the applicant has been convicted of or is under pending charges for any crime involving violence, a sexual offense, the sale or distribution of illegal drugs, theft, or fraud."

18. Page 3, line 30.

Strike: "Section"

Insert: "Sections"

Following: "1"

Insert: " and 2"

Strike: "is"

Insert: "are"

19. Page 4, line 2.

Strike: "section"

Insert: "sections"

Following: "1"

Insert: "and 2"

20. Page 4, line 3 and line 4.

Strike: "2" in both places

Insert: "3"

21. Page 4.

Following: line 4

Insert: "(3) [Section 4] is intended to be codified as an integral part of Title 52, chapter 2, and the provisions of

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Title 52, chapter 2, apply to [section 4].

(4) [Section 5] is intended to be codified as an integral part of Title 44, chapter 5, and the provisions of Title 44, chapter 5, apply to [section 5]."

22. Page 4, line 13.

Strike: "5(1)"

Insert: "8(1)"

And, as amended, do pass. Report adopted.

HB 608, do pass. Report adopted.

HJR 28, be adopted. Report adopted.

HUMAN SERVICES (Soft, Chairman):

2/18/1999

HB 580, do pass. Report adopted.

JUDICIARY (Clark, Chairman):

2/17/1999

HB 59, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AND OFFENSES"

2. Title, line 6 through line 7.

Strike: "SECTIONS" on line 6 through "AND" on line 7

Insert: "SECTION"

3. Page 1, line 11 through page 5, line 13.

Strike: section 1 through section 2 in their entirety

Insert: "NEW SECTION. Section 1. Plea bargain agreeing to compliance with this part. A defendant may agree to comply with this part as part of a plea bargain, and a court accepting the plea bargain may order the defendant to comply with this part."

Renumber: subsequent section

4. Page 6, line 9.

Strike: "currently"

5. Page 6, line 10.

Strike: "or violent offense"

6. Page 6, line 10 through line 11.

Strike: "this part" on line 10 through "sentencing" on line 11

Insert: "the court did not apply a level designation"

7. Page 6, line 12 through line 13.

Strike: "If" on line 12 through "subsection." on line 13

8. Page 6, line 15.

Insert: "NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 46, chapter 23, part 5, and the provisions of Title 46, chapter 23, part 5, apply to [section 1]."

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And, as amended, do pass. Report adopted.

HB 104, introduced bill, be amended as follows:

1. Title, line 5 through line 6.

Strike: "EXTENDING" on line 5 through "ELIMINATING" on line 6

Insert: "SUBMITTING TO THE ELECTORATE THE ELIMINATION OF"

2. Page 1, line 14.

Strike: "-- termination date"

Strike: "(1)"

3. Page 1, line 15.

Strike: "(2)" through "2001."

4. Page 1, line 17 through line 19.

Strike: section 2 in its entirety

Insert: "NEW SECTION. Section 2. Submission to electorate of extension of court information technology surcharge. This act shall be submitted to the qualified electors of Montana at the tax election to be held in 1999 by printing on the ballot the full title of this act and the following:

SHALL THE COURT INFORMATION TECHNOLOGY USER SURCHARGE TAX BE INCREASED ANNUALLY BY \$5 IN THE FOLLOWING MANNER?

- ☐ FOR continuing the user surcharge in criminal, civil, and probate proceedings for state funding of court information technology.
- ☐ AGAINST continuing the user surcharge in criminal, civil, and probate proceedings for state funding of court information technology."

5. Page 1, line 24 through line 27.

Strike: "and" on line 24 through "+999-"" on line 27

Insert: "."

6. Page 1, line 29.

Strike: "[This act]"

Insert: "This act"

And, as amended, do pass. Report adopted.

HB 127, introduced bill, be amended as follows:

2/18/1999

1. Title, line 6 through line 7.

Strike: "CONFORMING" on line 6 through "REQUIREMENTS;" on line 7

2. Title, line 9 through line 13.

Strike: "PROVIDING" on line 9 through "ORDER;" on line 13

3. Title, line 18.

Strike: "40-4-210,"

Strike: "40-5-225,"

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4. Title, line 20 through line 21.

Strike: "PROVIDING" on line 20 through "PROVISION;" on line 21

5. Page 1, line 25 through page 2, line 27.

Strike: section 1 in its entirety

Renumber: subsequent sections

6. Page 7, line 6.

Following: "602(a)(26)"

Insert: "or 42 U.S.C. 608(a)(3)"

7. Page 9, line 19.

Strike: "under this section"

Insert: "on a claim that property is exempt from execution"

8. Page 10, line 13.

Following: "may"

Insert: "not"

Strike: "each"

Insert: "a"

9. Page 10, line 13 through line 14.

Strike: "on behalf" on line 13 through "of any" on line 14

Insert: "and distributed to an"

10. Page 10, line 14 through line 18.

Strike: "The department" on line 14 through "support." on line 18

11. Page 12, line 13 through page 15, line 3.

Strike: section 7 in its entirety

Renumber: subsequent sections

12. Page 17, line 20.

Strike: "any of its employees"

Insert: "its director"

13. Page 18, line 6.

Following: "obligee."

Insert: "If service is by certified mail, the department must receive a return receipt signed by the person to whom the notice was mailed for the service to be effective."

14. Page 18, line 15.

Following: "conducted."

Insert: "If service is by certified mail, the department must receive a return receipt signed by the person to whom the order was mailed for the service to be effective."

15. Page 31, line 23 through line 27.

Strike: section 18 in its entirety

Renumber: subsequent sections

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16. Page 31, line 29.

Strike: "subsections"

Insert: "subsection"

Strike: "and (3)"

17. Page 32, line 1.

Strike: "4"

Insert: "2"

Strike: "8"

Insert: "6"

Strike: "11"

Insert: "9"

18. Page 32, line 2 through line 3.

Strike: subsection (3) in its entirety

And, as amended, do pass. Report adopted.

HB 366, introduced bill, be amended as follows:

1. Title, line 7.

Following: "41-3-102,"

Insert: "41-3-108,"

2. Title, line 8.

Following: "41-3-202,"

Insert: "41-3-203,"

3. Page 3, line 18.

Following: "(i)"

Insert: "actual"

4. Page 3, line 19.

Strike: "threatened"

Insert: "substantial risk of"

5. Page 3, line 20.

Strike: "harm or threatened harm to a child's health or welfare"

Insert: "actual harm or substantial risk of harm"

6. Page 4, line 25.

Following: "means"

Insert: "an intentional act, an intentional omission, or gross negligence resulting in"

7. Page 4, line 26.

Strike: "intentional"

8. Page 4, line 27.

Strike: "if the injury or death is not accidental"

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9. Page 4, line 28 through line 29.

Strike: "an act" on line 28 through "is" on line 29

Insert: "acts or omissions that are"

Strike: "an act" on line 29

Insert: "acts"

10. Page 5, line 17.

Strike: "or is receiving education or training"

11. Page 5, line 21 through line 22.

Strike: subsection (20) in its entirety

Renumber: subsequent subsections

12. Page 5, line 27.

Insert: "(21) "Unfounded" means that after an investigation, the investigating person has determined that the reported abuse, neglect, or exploitation has not occurred."

Renumber: subsequent subsections

13. Page 6, line 16.

Strike: "is"

Insert: "has been adjudicated or determined, after a hearing, to be or to have been"

14. Page 6, line 17.

Insert: "**Section 3.** Section 41-3-108, MCA, is amended to read:

"41-3-108. Child protective teams. The county attorney, county commissioners, or ~~the~~ department of public health and human services may convene one or more temporary or permanent interdisciplinary child protective teams. These teams may assist in assessing the needs of, formulating and monitoring a treatment plan for, and coordinating services to the child and the child's family. The supervisor of child protective services in a local service area or the supervisor's designee shall serve as the team's coordinator. Members ~~shall~~ must include:

(1) a social worker;

(2) a member of a local law enforcement agency;

(3) a representative of the medical profession;

(4) a representative of a public school system;

~~(4)(5)~~ a county attorney; and

~~(5)(6)~~ if an Indian child or children are involved, someone, preferably an Indian person, knowledgeable about Indian culture and family matters." "

Renumber: subsequent section

15. Page 7, line 6.

Following: "If"

Insert: "a child interview is"

Strike: "appropriate by"

Insert: "necessary,"

16. Page 7, line 6 through line 7.

Strike: "conducting" on line 6 through "in any" on line 7

Insert: "may conduct an"

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17. Page 7, line 8.

Following: "child."

Insert: "With the child's consent, the interview may be conducted in the presence of the parent or guardian or an employee of the school or day-care facility attended by the child."

18. Page 7, line 9.

Strike: "If"

Insert: "Subject to 41-3-205(3), if"

Following: "is"

Insert: "audiotaped or"

Following: "unedited"

Insert: "audiotape or"

19. Page 8, line 2.

Insert: "**Section 5.** Section 41-3-203, MCA, is amended to read:

"41-3-203. Immunity from liability. (1) Anyone investigating or reporting any incident of child abuse or neglect under 41-3-201 or 41-3-202, participating in resulting judicial proceedings, or furnishing hospital or medical records as required by 41-3-202 is immune from any liability, civil or criminal, that might otherwise be incurred or imposed unless the person was grossly negligent or acted in bad faith or with malicious purpose or provided information knowing the information to be false.

(2) A person who provides information pursuant to 41-3-201 that is substantiated by the department or a person who uses information received pursuant to 41-3-205 that is substantiated by the department to refuse to hire or to discharge a prospective or current employee, volunteer, or other person who through employment or volunteer activities may have unsupervised contact with children is immune from civil liability unless the person acted in bad faith or with malicious purpose."

Renumber: subsequent sections

20. Page 10, line 29.

Insert: "(7) Copies of records, evaluations, reports, or other evidence obtained or generated pursuant to this section that are provided to the parent, the guardian, or the parent or guardian's attorney must be provided without cost."

21. Page 11, lines 5 through 6.

Strike: ". The" on line 5 through "has" on line 6

Insert: "and shall perform"

22. Page 11, line 7.

Strike: "that the guardian ad litem considers necessary"

23. Page 11, line 21.

Insert: "(4) Any interested person may petition the court for the removal and replacement of the guardian ad litem if the guardian ad litem fails to perform the duties of the appointment."

24. Page 11, line 28.

Following: "~~necessary~~."

Insert: "The petition must be accompanied by an affidavit by the department alleging that the child appears to have been abused, neglected, or abandoned and stating the basis for the allegation."

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25. Page 13, line 25.

Strike: "a show cause"

Insert: "an emergency placement"

26. Page 13, lines 25 through 26.

Strike: "show" on line 25 through "cause" on line 26

Insert: "emergency placement"

27. Page 13, line 28.

Page 14, lines 7 and 9.

Page 16, line 11.

Strike: "show cause"

Insert: "emergency placement"

28. Page 14, line 12.

Strike: "a show cause"

Insert: "an emergency placement"

29. Page 22, line 21.

Insert: "NEW SECTION. Section 15. Treatment plan -- contents -- changes. (1) Upon the declaration that a child is a youth in need of care, the court may order a treatment plan.

(2) Every treatment plan must contain the following information:

(a) the identification of the problems or conditions that resulted in the abuse or neglect of a child;

(b) the treatment goals and objectives for each condition or requirement established in the plan. If the child has been removed from the home, the treatment plan must include but is not limited to the conditions or requirements that must be established for the safe return of the child to the family.

(c) the projected time necessary to complete each of the treatment objectives;

(d) the specific treatment objectives that clearly identify the separate roles and responsibilities of all parties addressed in the treatment plan; and

(e) the signature of the parent or parents or guardian, unless the plan is ordered by the court.

(3) A treatment plan may include but is not limited to any of the following remedies, requirements, or conditions:

(a) the right of entry into the child's home for the purpose of assessing compliance with the terms and conditions of a treatment plan;

(b) the requirement of either the child or the child's parent or guardian to obtain medical or psychiatric diagnosis and treatment through a physician or psychiatrist licensed in the state of Montana;

(c) the requirement of either the child or the child's parent or guardian to obtain psychological treatment or counseling;

(d) the requirement of either the child or the child's parent or guardian to obtain and follow through with alcohol or substance abuse evaluation and counseling, if necessary;

(e) the requirement that either the child or the child's parent or guardian be restricted from associating with or contacting any individual who may be the subject of a department investigation;

(f) the requirement that the child be placed in a temporary medical facility or a facility for protection of the youth;

(g) the requirement that the parent, guardian, or other person having physical or legal custody furnish services that the court may designate.

(4) A treatment plan may not be altered, amended, continued, or terminated without the approval of the parent or parents or guardian, after a hearing, in the absence of a court order."

Renumber: subsequent sections

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30. Page 28, line 10.

Strike: "11"

Insert: "13"

31. Page 28, line 12.

Strike: "11"

Insert: "13"

32. Page 28, line 13.

Strike: "12"

Insert: "14"

33. Page 28, line 14.

Strike: "12"

Insert: "14"

34. Page 28, line 15.

Insert: "(3) [Section 15] is intended to be codified as an integral part of Title 41, chapter 3, part 4, and the provisions of Title 41, chapter 3, part 4, apply to [section 15]."

And, as amended, do pass. Report adopted.

HB 527, do pass. Report adopted.

2/17/1999

HB 530, introduced bill, be amended as follows:

1. Page 2, line 27.

Following: first "life"

Insert: "or preserve the health, as defined in 50-20-109(4),"

Following: second "life"

Insert: "or health"

2. Page 2, line 28.

Following: "life-endangering"

Insert: "or health-endangering"

3. Page 2, line 29.

Following: "life"

Insert: "or preserve the health"

4. Page 3, line 21.

Insert: "NEW SECTION. Section 4. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And, as amended, do pass. Report adopted.

HB 566, introduced bill, be amended as follows:

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1. Title, line 4.

Strike: "REVISING FIREARMS LAWS RELATING TO"

Insert: "AUTHORIZING AN INTERIM STUDY OF METHODS FOR A STATE LAW ALTERNATIVE METHOD FOR FIREARMS"

2. Title, line 5.

Following: "PURCHASERS"

Strike: ", "

Insert: "; REVISING LAWS RELATING TO"

3. Title, line 7.

Following: "45-8-337,"

Insert: "AND"

Strike: "AND 61-5-114,"

4. Page 1, line 24 through page 2, line 8.

Strike: section 1 in its entirety

Insert: "NEW SECTION. **Section 1. Interim study for state law alternative method of complying with national instant criminal background check system.** (1) An interim study is authorized to recommend legislation for the 57th regular legislative session to implement a valid state law alternative method of complying with the national instant criminal background check system requirements prior to transfer of a firearm. The study should focus on the development of cost-effective, minimally intrusive options for implementation of a state law alternative method that would comply with the exception provided under 27 CFR 178.102(d) pursuant to the federal Brady Handgun Violence Prevention Act.

(2) The legislative council shall assign the interim study required under this section to the appropriate interim committee."

5. Page 4, line 25.

Strike: line 25 in its entirety

6. Page 7, line 21.

Following: "of"

Insert: "unregistered silencer or of"

7. Page 7, line 22.

Following: "~~or~~"

Insert: "of a silencer that is not registered under federal law or"

8. Page 8, line 19 through line 20.

Following: "~~or~~" on line 19

Insert: "or"

Strike: ", or" on line 19 through "weapon" on line 20

Insert: ". The term also includes any other article or instrument"

9. Page 8, line 22 through line 30.

Strike: section 6 through section 7 in their entirety

And, as amended, do pass. Report adopted.

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HB 593, introduced bill, be amended as follows:

1. Page 1, line 21 through line 22.

Strike: "for" on line 21 through "purposes" on line 22

2. Page 2, line 10.

Strike: "or"

3. Page 2, line 12.

Following: "mediator"

Insert: "; or"

(d) during the mediation, unless a party objects to disclosure

4. Page 2, line 17 through line 18.

Strike: "for" on line 17 through "purposes" on line 18

And, as amended, do pass. Report adopted.

HB 614, introduced bill, be amended as follows:

2/18/1999

1. Page 1, line 10 through page 2, line 2.

Strike: section 1 in its entirety

Insert: "NEW SECTION. Section 1. Disposition of abandoned mobile home occupying a mobile home park space. (1) If a tenancy terminates and the landlord reasonably believes that the tenant has abandoned a mobile home occupying a mobile home park space and a period of time of at least 5 days has elapsed since the occurrence of events upon which the landlord formed that belief, the landlord may remove the mobile home from the premises.

(2) If the landlord moves the mobile home from the premises, the landlord shall store the mobile home in a place of safekeeping and shall exercise reasonable care for the mobile home. The landlord may charge the mobile home owner a reasonable removal and storage charge.

(3) If the landlord stores the mobile home, the landlord shall:

(a) notify the local law enforcement office of the removal and storage;

(b) make a reasonable effort to determine if the mobile home is secured or otherwise encumbered; and

(c) send a notice by certified mail to the last-known address of the mobile home owner and to any person or entity found by the landlord to have an interest referred to in subsection (3)(b), stating that at a specified time, not less than 15 days after mailing the notice, the mobile home will be disposed of if the mobile home owner does not respond and remove the mobile home under subsection (4).

(4) If the mobile home owner, within 15 days after receipt of the notice provided for in subsection (3)(c), responds in writing to the landlord that the owner intends to remove the mobile home from storage and does not do so within 20 days after delivery of the owner's response, the mobile home is conclusively presumed to be abandoned. A landlord is entitled to payment of the removal and storage costs allowed under subsection (2) before the owner may remove the mobile home.

(5) The landlord may dispose of the mobile home after complying with subsection (3) by:

(a) selling the mobile home at a public or private sale; or

(b) destroying or otherwise disposing of the mobile home if the landlord reasonably believes that the value of the mobile home is so low that the cost of a sale would exceed the reasonable value of the mobile home. Disposal may include having the mobile home removed to an appropriate disposal site, including but not limited to a solid waste disposal facility serving the area in which the mobile home is located. If the county in which the

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mobile home is located has adopted a plan for abandoned and deserted mobile home removal, recycling, and disposal, the landlord may inform the county of the abandoned mobile home and the county shall take possession of the mobile home and dispose of it as provided in the county plan.

(6) A public or private sale authorized by this section must be conducted under the provisions of 30-9-504(3) or the sheriff's sale provisions of Title 25, chapter 13, part 7.

(7) The landlord may deduct from the proceeds of a sale the reasonable costs of removal, storage, notice, and sale and any delinquent rent or damages owing on the premises and shall remit to the mobile home owner the remaining proceeds, if any. If the owner cannot after due diligence be found, the remaining proceeds must be deposited in the general fund of the county in which the sale occurred and, if not claimed within 3 years, are forfeited to the county.

2. Page 2, line 9.

Following: "then"

Insert: "the last sentence of"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Ahner, Chairman):
HB 325, introduced bill, be amended as follows:

2/17/1999

1. Title, page 1, line 4 through line 5.

Strike: "WITHIN" on line 4 through "NEIGHBORHOODS" on line 5

2. Title, page 1, line 5 through line 6.

Strike: ";" on line 5 through "PENALTY" on line 6

3. Page 1, line 10.

Strike: "-- penalty -- exceptions"

Strike: "(1)"

4. Page 1, line 12 through line 13.

Strike: "within" on line 12 through "nuisance" on line 13

5. Page 1, line 14 through line 19.

Strike: subsections (2) and (3) in their entirety

And, as amended, do pass. Report adopted.

HB 336, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Following: "'MAINTENANCE'"

Insert: "AND CLARIFYING THE DEFINITION OF 'IMPROVEMENTS'"

2. Title, page 1, line 5 through line 7.

Strike: "ALLOWING" on line 5 through ";" on line 7

Insert: "CLARIFYING NOTICE REQUIREMENTS FOR ASSESSMENTS;"

3. Title, page 1, line 7.

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Following: "7-12-4401"

Insert: ", "

Strike: " AND 7-12-4422"

Insert: ", 7-12-4405, AND 7-12-4426"

4. Page 1, line 16.

Strike: "the"

5. Page 1, line 20 through line 21.

Strike: "installation" on line 20 through the first "and" on line 21

6. Page 1, line 21.

Following: "markings."

Insert: "and"

Following: "repair"

Strike: " "

7. Page 1, line 22.

Strike: "new curb and gutter construction, and widening of existing paved streets"

8. Page 1, line 24 through page 2, line 15.

Strike: Section 2 in its entirety

Insert: "**Section 2.** Section 7-12-4405, MCA, is amended to read:

"7-12-4405. Improvements within maintenance districts -- ordinance required. (1) (a) Cities and towns ~~are hereby authorized and empowered to~~ may prepare and improve streets, avenues, and alleys within the maintenance districts so that the maintenance will be of a durable and continuing benefit. The city or town council shall provide by ordinance a method or methods of doing ~~said~~ the work and improvements.

(b) For the purposes of this section, "improvements" includes but is not limited to the installation of traffic signs, new curb and gutter construction, and widening of existing streets.

(2) Cities and towns are authorized to maintain the work and improvements made under subsection (1).

(3) At least 12 days must elapse between the day on which ~~said~~ the proposed ordinance is introduced and the day on which final action ~~thereon~~ on the ordinance is taken."

Insert: "**Section 3.** Section 7-12-4426, MCA, is amended to read:

"7-12-4426. Notice of resolution for assessment. (1) A notice, signed by the city clerk, stating that the resolution levying a special assessment or changing the method of assessment to defray the cost of maintenance in the district or districts is on file in ~~his~~ the city clerk's office and subject to inspection for a period of 5 days, ~~shall must~~ be published at least once in a newspaper published in the city or town.

(2) The notice ~~shall must~~ state the time and place at which objections to the final adoption of the resolution will be heard by the council and must contain a statement setting out the method of assessment being proposed for adoption or the change in the method of assessment that is being proposed for adoption. The time for the hearing ~~shall must~~ be not less than 5 days after the publication of the notice."

And, as amended, do pass. Report adopted.

HB 363, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 8.

Strike: "IN" on line 5 through "MCA" on line 8

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2. Page 1, line 12 through page 4, line 2.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Park and forestry maintenance districts. (1) A city or town may create a park and forestry district for the purposes of, but not limited to, mowing, irrigation, turf repair and maintenance, recreation facility and equipment maintenance, tree trimming and removal, garbage removal, general cleaning, and leaf debris removal.

(2) A parks and forestry maintenance district authorized by this section must be created and assessments and improvements must be undertaken and carried out in accordance with procedures established in Title 7, chapter 12, part 44, for street maintenance districts. "

Insert: "NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 7, chapter 12, and the provisions of Title 7, chapter 12, apply to [section 1]."

And, as amended, do pass. Report adopted.

HB 408, introduced bill, be amended as follows:

1. Page 1, line 26.

Strike: "4"

Insert: "3"

2. Page 2, line 23.

Following: "facilities"

Insert: ", to taverns or the tavern portion of an establishment containing both a restaurant and a tavern if the tavern does not allow persons under the age of 21 on the premises, or to home-based businesses"

And, as amended, do pass. Report adopted.

HB 431, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "CHIEF"

Strike: the second "AND"

2. Title, page 1, line 6.

Following: "MCA"

Insert: "; AND PROVIDING A CONTINGENT VOIDNESS PROVISION"

3. Page 1, line 12.

Strike: "by the court"

Insert: "pursuant to [section 3]"

4. Page 1, line 13 through page 2, line 2.

Strike: line 13 on page 1 through line 2 on page 2 in their entirety

5. Page 2, line 3.

Strike: "(c)"

Insert: "(b)"

Strike: "The"

Insert: "Subject to [section 4], the"

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6. Page 2, line 7.

Strike: "(3)"

Insert: "(2)"

Strike: "subsections (1) and (2)"

Insert: "subsection (1)"

7. Page 2, line 9 through line 11.

Strike: "However" on line 9 through "increase." on line 11

8. Page 2, line 12.

Following: "installments."

Insert: "The longevity allowance to which a chief probation officer is entitled includes all longevity allowances earned during any service as a deputy probation officer and is transferable from one county to another. Funding responsibility for longevity allowances under this subsection is subject to the provisions of [section 4]."

9. Page 2, line 13 through line 16.

Strike: line 13 through line 16 in their entirety

10. Page 2, line 17.

Strike: "(5)"

Insert: "(3)"

11. Page 2, line 25 through line 26.

Strike: "fixed" on line 25 through "year" on line 26

Insert: "as provided in [section 3]"

12. Page 2, line 27 through page 3, line 16.

Strike: line 27 on page 2 through line 16 on page 3 in their entirety

13. Page 3, line 17.

Strike: "(c) The"

Insert: "(b) Subject to [section 4], the"

14. Page 3, line 21.

Strike: "(3)"

Insert: "(2)"

Strike: "subsections (1) and (2)"

Insert: "subsection (1)"

Renumber: subsequent subsections

15. Page 3, line 23 through line 24.

Strike: "However" on line 23 through "increase." on line 24

16. Page 3, line 26.

Following: "installments."

Insert: "The longevity allowance to which a deputy probation officer is entitled is transferable from one county to another. Funding responsibility for longevity allowances under this subsection is subject to the provisions of [section 4]."

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17. Page 3, line 27 through line 29.

Strike: line 27 through line 29 in their entirety

18. Page 3, line 30.

Strike: "(5)"

Insert: "(3)"

19. Page 4.

Following: line 2

Insert: "NEW SECTION. Section 3. Classification and pay progression -- rulemaking. (1) The department of administration shall, in consultation with the office of the supreme court administrator, classify each chief and deputy county probation officer position and assign each position to a pay grade in the state pay schedule in 2-18-312.

(2) Each chief and deputy probation officer shall progress through the classification and pay plan as provided for under 2-18-303.

(3) The compensation of a chief or deputy probation officer may not be reduced as a result of implementation of this section.

(4) The department of administration may adopt rules to implement this section.

(5) The department of administration shall establish procedures to provide for the collection of position descriptions, personnel rosters, salary information, and other information required by the department of administration to implement this section."

Insert: "NEW SECTION. Section 4. State assumption of certain costs. (1) Each county is responsible for funding the salaries and longevity allowances of the county's chief and deputy probation officers up to the aggregate amount paid for salary and longevity allowances as of the first full pay period immediately preceding [the effective date of this act].

(2) Beginning the first full pay period immediately following [the effective date of this act], the office of the supreme court administrator shall reimburse each county an amount equal to any costs incurred by the county for funding the salaries and longevity allowances of chief or deputy probation officers that is in excess of the aggregate funding level that is the county's responsibility under subsection (1)."

"NEW SECTION. Section 5. Codification instruction. [Sections 3 and 4] are intended to be codified as an integral part of Title 41, chapter 5, and the provisions of Title 41, chapter 5, apply to [sections 3 and 4]."

"NEW SECTION. Section 6. Contingent voidness. If House Bill No. 2 does not appropriate funds to the office of the supreme court administrator to cover the cost of the state assumption of payroll obligations above current levels as provided in [section 4], then [this act] is void."

And, as amended, do pass. Report adopted.

HB 476, do pass. Report adopted.

NATURAL RESOURCES (Tash, Chairman):

2/18/1999

HB 298, do pass. Report adopted.

HB 596, introduced bill, be amended as follows:

1. Page 3, line 8.

Following: "facility"

Insert: ";

(d) the provisions of this subsection (3) may not limit an applicant's ability to alter a proposed project that is otherwise in conformance with applicable laws, rules, standards, and criteria"

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And, as amended, do pass. Report adopted.

HB 617, do pass. Report adopted.

HJR 23, be adopted. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

2/17/1999

HB 188, introduced bill, be amended as follows:

1. Title, line 6.

Following: "STATE AGENCIES"

Insert: "AND LOCAL GOVERNMENT UNITS"

2. Title, page 1, line 12.

Following: "PENALTY;"

Insert: "PROVIDING A CONTINGENT VOIDNESS PROVISION;"

3. Page 1, line 17.

Following: "State Agencies"

Insert: "and Local Government Units"

4. Page 1, lines 22, 24, 26, and 28.

Following: "state agencies"

Insert: "and local government units"

5. Page 3.

Following: line 2

Insert: "(10) "Local government unit" means a city, county, town, unincorporated municipality or village, or a special taxing district and any commission, board, bureau, or other office of any of them."

Renumber: subsequent subsections

6. Page 3, line 3.

Following: "agency"

Insert: "or local government unit"

7. Page 3, line 5.

Following: "state agency,"

Insert: "local government unit,"

8. Page 3, line 14.

Following: first "agency"

Insert: "or local government unit"

Strike: second "agency"

Insert: "entity"

9. Page 4, line 13.

Following: "state agencies"

Insert: "or local government units"

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10. Page 4, line 22.

Following: "(a)"

Strike: the remainder of line 22 through "signed" on line 27

Insert: "when application of [sections 1 through 11] is clearly inconsistent with the manifest intent of another rule of law. However, a requirement of a rule of law that information must be "in writing", "written", "printed", "signed", or by any other word or phrase specifies written communication for a certain purpose is not by itself sufficient to prohibit the use of an electronic record or electronic signature, as applicable, for that purpose"

11. Page 5, line 4.

Following: "State agency"

Insert: "or local government unit"

12. Page 5, line 5.

Following: "[Sections 1 through 11]"

Insert: "strongly encourage but"

13. Page 5, lines 5, 6, 9, and 13.

Following: "a state agency"

Insert: "or local government unit"

14. Page 8.

Following: line 9

Insert: "(3) A certification authority registered with the secretary of state pursuant to this section shall comply with all applicable requirements of Title 35.

(4) In addition to a filing fee that may be required by Title 35, the secretary of state shall charge and collect from each certification authority a license fee of \$300 annually."

15. Page 8, line 24.

Strike: "[Sections 10 and "

Insert: "[Section"

16. Page 8, line 26.

Strike: "9"

Insert: "8"

17. Page 8.

Following: line 26

Insert: "(3) [Sections 9 and 10] are effective upon the occurrence of the contingency provided for in [section 14(1)]."

18. Page 8.

Following: line 26

Insert: "NEW SECTION. Section 14. Contingent voidness. (1) If Constitutional Initiative No. 75, enacting Article VIII, section 17, of the Montana constitution, is declared invalid, then [sections 9 and 10] are effective on the date of the determination of invalidity.

(2) If LC 1674 is submitted to and is not approved by the electorate, then [sections 9 and 10 of this act] are void."

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And, as amended, do pass. Report adopted.

HB 342, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: "PUBLIC"

Insert: "THROUGH THE VOTER INFORMATION PAMPHLET"

2. Page 2, line 26.

Following: "public"

Insert: "through the voter information pamphlet, provided for in Title 13, chapter 27, part 4,"

And, as amended, do pass. Report adopted.

HB 468, do pass. Report adopted
2/18/1999

HB 490, introduced bill, be amended as follows:
2/17/1999

1. Title, page 1, line 9 through line 10.

Strike: "ALLOWING" on line 9 through "BALLOTS;" on line 10

2. Page 5, line 24.

Strike: "(1)" through "the"

Insert: "The"

3. Page 5, line 27 through line 28.

Strike: subsection (2) in its entirety

4. Page 7, line 16.

Strike: "The" through "."

And, as amended, do pass. Report adopted.

HB 494, do pass. Report adopted.
2/18/1999

HB 508, introduced bill, be amended as follows:
2/17/1999

1. Title, page 1, line 8.

Following: "CONCLUSION;"

Insert: "ALLOWING 30 DAYS FOR THE ATTORNEY GENERAL'S SUBMISSION TO THE SECRETARY OF STATE OF A DETERMINATION REGARDING LEGAL SUFFICIENCY;"

2. Page 2, line 2.

Following: "the second "the" "

Strike: "secretary of state"

Insert: "county election administrator"

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3. Page 2, line 6.

Strike: " " through "statutes"

4. Page 2, line 7.

Strike: "the purpose" through "of"

5. Page 2, line 8.

Strike: "unlawful or otherwise"

6. Page 2, line 9.

Following: "petitioner"

Insert: "within the time provided in 13-27-312(8)"

7. Page 2, line 10.

Strike: "approved"

Insert: "given final approval"

8. Page 2, line 11.

Following: " "

Insert: "As used in this section, "legal sufficiency" means that the petition complies with the statutory prerequisites to submission of the proposed measure to the electors and that the text of the proposed measure complies with constitutional requirements governing submission of ballot measures to the electorate. Review of a petition for legal sufficiency does not include consideration of the merits or application of the measure if adopted by the voters."

9. Page 2, line 15.

Following: "(4)"

Insert: "(a)"

10. Page 2, line 17.

Following: " "

Insert: "(b)"

11. Page 2, line 18.

Following: "rejection"

Insert: "of the form of the petition"

Following: " "

Insert: "The secretary of state shall send written notice to the person who submitted the petition sheet of the final approval or rejection of the petition within 5 days of:

(i) the date on which a final court decision is entered under 13-27-316 if a challenge to the attorney general's review of the petition is filed pursuant to that section; or

(ii) the expiration of the time for filing a challenge to the attorney general's review under 13-27-316 if no challenge is filed."

12. Page 2, line 25.

Following: " "

Insert: "The petition may be circulated upon approval of the form of the petition by the secretary of state and the attorney general pending a final determination of its legal sufficiency."

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13. Page 2, line 29.

Following: the second "the"

Insert: "final"

14. Page 3, line 17.

Following: "form"

Insert: "form"

15. Page 4, line 4.

Strike: "or legal sufficiency"

16. Page 4, line 6.

Strike: "and legal sufficiency"

17. Page 4.

Following: line 8

Insert: "(8) If the petition is approved as to form, within 30 days of the approval, the attorney general shall forward to the secretary of state the determination regarding legal sufficiency, as provided in 13-27-202."

18. Page 4, line 15.

Following: "state"

Insert: "or of the attorney general's determination regarding legal sufficiency"

And, as amended, do pass. Report adopted.

HB 559, do pass. Report adopted.

HB 570, do pass. Report adopted.

HB 578, introduced bill, be amended as follows:

1. Page 1, line 21 through line 22.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 585, do pass. Report adopted.

HB 613, introduced bill, be amended as follows:
2/18/1999

1. Title, page 1, line 5.

Strike: "WALKER'S"

2. Page 1, line 17.

Strike: "Walker's"

And, as amended, do pass. Report adopted.

HB 616, do pass. Report adopted.

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2/17/1999

HB 620, introduced bill, be amended as follows:

1. Page 2, line 10.

Following: "secrets"

Insert: ", as defined in 30-14-402,"

And, as amended, do pass. Report adopted.

HB 623, introduced bill, be amended as follows:

2/18/1999

1. Title, page 1, line 7.

Strike: "RESCINDED"

Insert: "TO BE REVIEWED FOR CURRENT NEED"

2. Title, page 1, line 6.

Strike: "ALL"

3. Page 1, line 26.

Strike: "rescind"

Insert: "review"

4. Page 2, line 1.

Strike: "All emergency"

Insert: "Emergency"

5. Page 2, line 3.

Strike: "are rescinded"

Insert: "will be reviewed for current need"

6. Page 2, line 7.

Strike: "all"

7. Page 2, line 9.

Following: "emergency"

Insert: ", as appropriate"

And, as amended, do pass. Report adopted.

HB 625, do pass. Report adopted.

HB 632, introduced bill, be amended as follows:

1. Page 3, line 15.

Strike: "who"

Insert: "whose name"

And, as amended, do pass. Report adopted.

HJR 31, be adopted. Report adopted.

2/17/1999

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TAXATION (Hibbard, Chairman):
HB 273, introduced bill, be amended as follows:

2/18/1999

1. Title, line 6.

Strike: "THE UNIVERSITY SYSTEM AND TO"

2. Title, page 1, lines 8 and 9.

Following: "INFRASTRUCTURE," on line 8

Insert: "AND"

Following: "SERVICES" on line 8

Strike: ", " through "COSTS" on line 9

3. Title, line 9.

Following: "COSTS;"

Insert: "PROVIDING FOR THE CREATION OF COMMITTEES TO RECOMMEND PROJECTS;
PROVIDING FOR GRANTS TO CERTAIN LOCAL GOVERNMENTS;"

Following: "SECTIONS"

Insert: "2-15-1816,"

Following: "15-65-101"

Insert: ", "

4. Page 1, line 14.

Following: line 13

Insert: **Section 1.** Section 2-15-1816, MCA, is amended to read:

"2-15-1816. Tourism advisory council. (1) There is created a tourism advisory council.

(2) The council is composed of not less than 12 members appointed by the governor from Montana's private sector travel industry and includes at least one member from Indian tribal governments, ~~with representation from each tourism region initially established by executive order of the governor and as may be modified by the council under subsection (5).~~

(3) Members of the council shall serve staggered 3-year terms, subject to replacement at the discretion of the governor. ~~The governor shall designate four of the initial members to serve 1-year terms and four of the initial members to serve 2-year terms.~~

(4) The council shall:

~~(a) oversee distribution of funds to regional nonprofit tourism corporations for tourism promotion and to nonprofit convention and visitors bureaus in accordance with Title 15, chapter 65, part 1, and this section;~~

~~(b)~~(a) advise the department of commerce relative to tourism promotion;

~~(c)~~(b) advise the governor on significant matters relative to Montana's travel industry; and

~~(d) prescribe allowable administrative expenses for which accommodation tax proceeds may be used by regional nonprofit tourism corporations and nonprofit convention and visitors bureaus;~~

~~(e) direct the university system regarding Montana travel research;~~

~~(f) approve all travel research programs prior to their being undertaken; and~~

~~(g)~~(c) encourage regional nonprofit tourism corporations to promote tourist activities on Indian reservations in their regions administer the grant program provided for in [section 6].

~~(5) The council may modify the tourism regions established by executive order of the governor.~~

~~(6)~~(5) The department of commerce shall adopt such rules as that may be necessary to implement and administer Title 15, chapter 65, part 1, and this section."

Renumber: subsequent sections

5. Page 2, line 10.

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Following: "governor."

Insert: "(4) "Tourism-related infrastructure" includes visitor centers, rest areas, restrooms, parking facilities, signs, museums, trails, zoos, parks, and other facilities and infrastructure used by travelers or that attract travelers to an area."

6. Page 2, line 18.

Strike: "\$300,000"

Insert: "\$150,000"

7. Page 2, line 20.

Strike: "(1)(d)"

Insert: "(1)(e)"

8. Page 3, line 2.

Following: "system,"

Insert: "to the university system,"

9. Page 3, line 3.

Strike: "\$700,000"

Insert: "\$150,000"

10. Page 3, line 8.

Following: line 7

Insert: "(b) \$250,000 to the institute for travel research at the university of Montana-Missoula for the establishment and maintenance of a Montana travel research program;"

Renumber: subsequent subsections

11. Page 3, line 21.

Following: "."

Insert: "The allocation in subsections (2) and (3) may be made only if the county, including cities and towns within the county, has generated at least \$15,000 in lodging facility use tax revenue in the previous calendar year. The funds that are not allocated to a county, city, or town because the local governments did not generate the required amount of lodging facility use tax must be allocated to an account in the state special revenue fund to be used as provided in [section 6]."

12. Page 4, line 7.

Strike: "(a)" through funds

Insert: "Funds"

13. Page 4, lines 11 and 12.

Strike: subsection (b) in its entirety

14. Page 4, line 18.

Strike: "\$300,000"

Insert: "\$150,000"

15. Page 4, line 20.

Strike: "(1)(d)"

Insert: "(1)(e)"

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16. Page 4, line 28.

Following: "~~system,~~"

Insert: "to the university system,"

17. Page 4, line 29.

Strike: "\$700,000"

Insert: "\$150,000"

18. Page 5, line 4.

Following: line 3

Insert: "(b) \$250,000 to the institute for travel research at the university of Montana-Missoula for the establishment and maintenance of a Montana travel research program;"

Renumber: subsequent subsections

19. Page 5, line 17.

Following: "."

Insert: "The allocation in subsections (2) and (3) may be made only if the county, including cities and towns within the county, has generated at least \$15,000 in lodging facility use tax revenue in the previous calendar year. The funds that are not allocated to a county, city, or town because the local governments did not generate the required amount of lodging facility use tax must be allocated to an account in the state special revenue fund to be used as provided in [section 6]."

20. Page 6, line 3.

Strike: "(a)" through "funds"

Insert: "Funds"

21. Page 6, lines 7 and 8.

Strike: subsection (b) in its entirety

22. Page 6, line 9.

Insert: "NEW SECTION. Section 4. Local tourism resource panel -- membership -- functions. (1)(a) A local government receiving funds under 15-65-121 shall create a local tourism resource panel. The panel must consist of five members appointed by the governing body and must include the following:

(i) a member representing the lodging industry in that jurisdiction;

(ii) a nonelected employee of the local government familiar with local tourism-related infrastructure needs;

(iii) a local retail business person;

(iv) a person familiar with area attractions and the infrastructure and service needs of those attractions; and

(v) a person familiar with local promotional needs.

(b) Only one local government employee may serve on the panel.

(2) The panel shall accept applications for grants to fund requests under this part from any person or nonprofit entity or the local government. The panel shall evaluate applications to determine those that meet the intent of this part, prioritize the applications, and forward the applications to the local government for review, approval, and the granting of money. The panel may not submit an application for approval unless it is approved by at least three members of the panel.

(3) The local government may not award a grant unless the application has been reviewed and approved by the panel. However, the local government is not required to approve grants recommended by the panel."

Insert: "NEW SECTION. Section 5. Institute for travel research -- committee. (1) There is an institute for

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travel research at the university of Montana-Missoula.

(2) The commissioner of higher education shall appoint a nine-member committee to recommend travel research projects to the institute. The committee must consist of representatives of:

- (a) the tourism advisory council;
- (b) the department of fish, wildlife, and parks;
- (c) the Montana historical society;
- (d) the cooperative extension service;
- (e) the bureau of business and economic research;
- (f) the lodging industry;
- (g) the environmental studies graduate program at the university of Montana-Missoula;
- (h) Montana resident recreationists; and
- (i) resident landowners whose property is impacted by tourism."

Insert: "NEW SECTION. Section 6. Visitor center and primitive camping grants. 1) The tourism advisory council shall use the funds allocated under 15-65-121(2) for the purpose of making grants to counties, cities, and towns that do not receive an allocation of lodging facility use taxes.

(2) Grants must be used for visitor information centers or for the development and operation of primitive campgrounds. Primitive campgrounds are subject to the limits on development provided for primitive parks in 23-1-117.

(3) The tourism advisory council shall develop procedures for the application for and awarding of grants."

Renumber: subsequent sections

23. Page 6, line 11.

Insert: "NEW SECTION. Section 8. Codification instruction. [Sections 4 through 6] are intended to be codified as an integral part of Title 15, chapter 65, part 1, and the provisions of Title 15, chapter 65, part 1, apply to [sections 4 through 6]."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

TRANSPORTATION (Anderson, Chairman):

2/18/1999

HB 329, do pass. Report adopted.

HB 561, do pass. Report adopted.

HB 575, introduced bill, be amended as follows:

1. Page 1, line 22.

Strike: "A" through "."

And, as amended, do pass. Report adopted.

HB 601, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "DRIVER"

Insert: "TRAFFIC"

2. Page 2, line 3.

Following: "(2)"

Insert: "(a)"

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3. Page 2, line 4.

Strike: "driver"

Insert: "traffic"

Strike: "The"

Insert: "Except as provided in subsection (2)(b), the"

4. Page 2, line 6.

Strike: "driver"

Insert: "traffic"

5. Page 2.

Following: line 6

Insert: "(b) The superintendent of public instruction may not require in the rules developed pursuant to subsection (2)(a) that a private traffic education instructor have a valid Montana teaching certificate."

And, as amended, do pass. Report adopted.

HB 606, introduced bill, be amended as follows:

1. Page 4, line 9.

Strike: "within 150 miles of farm headquarters"

2. Page 5, line 8.

Strike: "within 150 miles of farm headquarters"

And, as amended, do pass. Report adopted.

HB 633, do pass. Report adopted.

HB 635, introduced bill, be amended as follows:

1. Page 3, line 6.

Following: "right-of-way"

Insert: "on land that is owned by the federal government on [the effective date of this act] that was established"

2. Page 4, line 17.

Strike: "within this state"

3. Page 4, line 30 through page 5, line 1.

Strike: the first ", " on page 4, line 30 through "proper" on page 5, line 1

And, as amended, do pass. Report adopted.

HJR 25, be adopted. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/17/1999

SB 123, introduced by Crismore

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SB 125, introduced by Crismore
SB 126, introduced by Crismore
SB 235, introduced by Wells
SB 293, introduced by Bishop
SB 359, introduced by Franklin
SB 383, introduced by Hargrove
SB 397, introduced by Stang
SB 410, introduced by Keenan

House bills concurred in and returned to the House:

2/17/1999

HB 36, introduced by Quilici
HB 141, introduced by Hagener

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 642, introduced by B. Tash, C. Swysgood, referred to Fish, Wildlife and Parks.
HB 643, introduced by G. Gutsche, R. Buzzas, B. Eggers, R. Erickson, J. Hurdle, C. Juneau, B. Raney, J. Tropila, referred to Agriculture.

The following Senate bills were introduced, read first time, and referred to committees:

SB 111, introduced by B. DePratu (by request of the Revenue Oversight Committee), referred to Taxation.
SB 123, introduced by W. Crismore (by request of the Department of Environmental Quality), referred to Business and Labor.
SB 125, introduced by W. Crismore (by request of the Department of Environmental Quality), referred to Business and Labor.
SB 126, introduced by W. Crismore (by request of the Department of Environmental Quality), referred to Business and Labor.
SB 235, introduced by Wells, G. Beck, T. Beck, D. Haines, B. McCarthy, R. Menahan, E. Swanson, C. Swysgood, C. Younkin, referred to Natural Resources.
SB 293, introduced by A. Bishop, referred to Fish, Wildlife and Parks.
SB 359, introduced by E. Franklin, M. Halligan, referred to Appropriations.
SB 383, introduced by D. Hargrove, C. Ahner, T. Beck, D. Berry, J. Bohlinger, S. Bookout-Reinicke, C. Christiaens, V. Cocchiarella, W. Crismore, B. DePratu, D. Eck, E. Franklin, D. Grimes, L. Grosfield, T. Hagener, J. Hertel, C. Hibbard, R. Jabs, S. Kitzenberg, D. Mahlum, J. Mangan, W. McNutt, K. Mesaros, K. Ohs, M. Sprague, S. Stang, B. Tash, J. Tester, F. Thomas, M. Waterman, D. Wyatt, C. Younkin, referred to Natural Resources.
SB 387, introduced by B. Wilson, G. Jergeson, referred to Business and Labor.
SB 397, introduced by S. Stang, referred to Transportation.
SB 410, introduced by B. Keenan, referred to Business and Labor.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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HB 241 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Adams, E. Bergsagel, P. Bergsagel, Curtiss, Jore, McCann, McGee, Mood, Orr, Wagner.

Total 10

Voted Absentee: Dale, Davies, Molnar, Ayes.

Excused: Cobb, Kasten.

Total 2

Absent or not voting: Rehbein.

Total 1

HB 362 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: E. Bergsagel, P. Bergsagel, Davies, Harper, Jore, McGee, Orr.

Total 7

Voted Absentee: Dale, Molnar, Ayes; Davies, No.

Excused: Cobb, Kasten.

Total 2

Absent or not voting: Rehbein.

Total 1

HB 379 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke,

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Brainard, Brown, Buzzas, E. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 79

Noes: Adams, P. Bergsagel, P. Clark, Davies, Erickson, Ewer, Facey, Galvin-Halcro, Guggenheim, Gutsche, Harper, Hurdle, Jore, McCulloch, Peck, Ryan, Vick, Wyatt.
Total 18

Voted Absentee: Dale, Molnar, Ayes; Davies, No.

Excused: Cobb, Kasten.
Total 2

Absent or not voting: Rehbein.
Total 1

HB 411 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: Adams, Fuchs, Jore, McGee, Orr, Rehbein.
Total 6

Voted Absentee: Dale, Davies, Molnar, Ayes.

Excused: Cobb, Kasten.
Total 2

Absent or not voting: None.
Total 0

HB 454 passed as follows:

Ayes: Ahner, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo,

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Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 85

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Jore, Orr, Rehbein, Story, Vick, Wagner.

Total 10

Voted Absentee: Dale, Davies, Molnar, Ayes.

Excused: Cobb, Kasten.

Total 2

Absent or not voting: J. Andersen, Fuchs, Jackson.

Total 3

HB 480 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Dale, Davies, Molnar, Ayes.

Excused: Cobb, Kasten.

Total 2

Absent or not voting: None.

Total 0

HB 502 passed as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon,

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Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: P. Bergsagel, Jore, Orr.

Total 3

Voted Absentee: Dale, Davies, Molnar, Ayes.

Excused: Cobb, Kasten.

Total 2

Absent or not voting: J. Andersen, Peck, Trexler.

Total 3

HB 514 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: Adams, P. Bergsagel, Bitney, Fuchs, Grinde, Jore, Orr, Rehbein, Sliter, Vick.

Total 10

Voted Absentee: Dale, Davies, Molnar, Ayes.

Excused: Cobb, Kasten.

Total 2

Absent or not voting: None.

Total 0

HB 571 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 98

Noes: None.
Total 0

Voted Absentee: Dale, Davies, Molnar, Ayes.

Excused: Cobb, Kasten.
Total 2

Absent or not voting: None.
Total 0

HB 581 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Molnar.
Total 1

Voted Absentee: Dale, Davies, Ayes; Molnar, No.

Excused: Cobb, Kasten.
Total 2

Absent or not voting: None.
Total 0

HJ 20 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 90

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Noes: E. Bergsagel, P. Bergsagel, Jore, McGee, Orr, Rehbein, Story, Vick.
Total 8

Voted Absentee: Dale, Davies, Molnar, Ayes.

Excused: Cobb, Kasten.
Total 2

Absent or not voting: None.
Total 0

HJ 21 adopted as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 89

Noes: Adams, E. Bergsagel, Jore, McGee, Orr, Shockley, Trexler, Vick.
Total 8

Voted Absentee: Dale, Davies, Molnar, Ayes.

Excused: Cobb, Kasten.
Total 2

Absent or not voting: Hurdle.
Total 1

SB 171, as amended by the House, concurred in as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Grinde, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Jore, Kitzenberg, Lindeen, Masolo, Matthews, McCann, McGee, McKenney, Mood, Ohs, Orr, Raney, Rehbein, Rose, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Tuss, Vick, Wagner, Witt, Younkin, Zook, Mr. Speaker.
Total 53

Noes: Ahner, Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Johnson, Juneau, Krenzler, Lawson, Lenhart, Mangan, McCulloch, Menahan, Molnar, Noennig, Pavlovich, Peck, Quilici, Ryan, Schmidt, Shockley, Smith, Soft, Squires, Swanson, Trexler, Tropila, Walters, Williams, Wyatt.
Total 45

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Voted Absentee: Dale, Davies, Ayes; Molnar, No.

Excused: Cobb, Kasten.
Total 2

Absent or not voting: None.
Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McGee in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Simon excused at this time.

HB 584 - Representative Juneau moved **HB 584** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 94

Noes: Jore, Orr, Story.
Total 3

Voted Absentee: Dale, Davies, Molnar, Simon, Ayes.

Excused: Cobb, Kasten.
Total 2

Absent or not voting: Fisher.
Total 1

HB 444 - Representative Thomas moved **HB 444** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar,

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Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 89

Noes: Adams, P. Bergsagel, Jore, McCann, Rehbein.

Total 5

Voted Absentee: Dale, Davies, Molnar, Simon, Ayes.

Excused: Cobb, Kasten.

Total 2

Absent or not voting: Masolo, Orr, Squires, Mr. Speaker.

Total 4

HB 551 - Representative Sliter moved consideration of **HB 551** be placed at the bottom of the second reading board. Motion carried.

Representatives Cobb and Kasten present at this time.

HB 314 - Representative Raney moved **HB 314** do pass. Motion carried as follows:

Ayes: Ahner, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Buzzas, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 80

Noes: Adams, J. Andersen, Barnett, Brainard, Brown, E. Clark, Curtiss, Hagener, Haines, Hanson, Kasten, Kitzenberg, Mood, Rose, Smith, Tash, Taylor, Walters, Witt.

Total 19

Voted Absentee: Dale, Davies, Molnar, Simon, Ayes; Haines, No.

Excused: None.

Total 0

Absent or not voting: Bitney.

Total 1

Representative Grinde excused at this time.

Representative Davies present at this time.

HB 488 - Representative Wagner moved **HB 488** do pass. Motion carried as follows:

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Ayes: Adams, Ahner, J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Gallus, Golie, Guggenheim, Gutsche, Harper, Hurdle, Jackson, Jore, Juneau, Kitzenberg, Lawson, Lenhart, Mangan, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Orr, Peck, Raney, Ryan, Shockley, Simon, Sliter, Somerville, Story, Stovall, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Mr. Speaker.
Total 57

Noes: S. Anderson, Barnett, Buzzas, Dell, Erickson, Ewer, Facey, Galvin-Halcro, Gillan, Hagener, Hanson, Harrington, Hedges, Hibbard, Holden, Johnson, Kasten, Krenzler, Lindeen, Masolo, Matthews, McCann, McCulloch, Ohs, Pavlovich, Quilici, Rehbein, Rose, Schmidt, Smith, Soft, Squires, Swanson, Tash, Taylor, Tuss, Williams, Wyatt, Younkin, Zook.
Total 40

Voted Absentee: Dale, Molnar, Simon, Ayes.

Excused: Grinde, Haines.
Total 2

Absent or not voting: Bitney.
Total 1

HB 533 - Representative Gallus moved **HB 533** do pass. Motion carried as follows:

Ayes: Ahner, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hurdle, Jackson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Simon, Sliter, Soft, Squires, Swanson, Tash, Thomas, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Mr. Speaker.
Total 69

Noes: Adams, J. Andersen, E. Bergsagel, P. Bergsagel, Brown, E. Clark, Davies, Hanson, Hibbard, Holden, Johnson, Jore, Kasten, Lawson, Masolo, McCann, Noennig, Orr, Rehbein, Rose, Shockley, Smith, Somerville, Story, Stovall, Taylor, Trexler, Vick, Walters, Zook.
Total 30

Voted Absentee: Dale, Haines, Molnar, Simon, Ayes.

Excused: Grinde.
Total 1

Absent or not voting: None.
Total 0

HB 583 - Representative Thomas moved **HB 583** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Juneau,

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Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 74

Noes: Adams, S. Anderson, Barnett, P. Bergsagel, Bitney, Brainard, Brown, Cobb, Curtiss, Fisher, Hanson, Holden, Johnson, Jore, Kasten, Krenzler, Lawson, McCann, Orr, Shockley, Smith, Taylor, Vick, Wagner, Walters.

Total 25

Voted Absentee: Dale, Haines, Molnar, Simon, Ayes.

Excused: Grinde.

Total 1

Absent or not voting: None.

Total 0

HB 486 - Representative Anderson moved **HB 486** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Masolo, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 52

Noes: Barnhart, Beck, P. Bergsagel, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Vick, Williams, Wyatt.

Total 47

Voted Absentee: Dale, Haines, Simon, Ayes; Molnar, No.

Excused: Grinde.

Total 1

Absent or not voting: None.

Total 0

HB 487 - Representative Anderson moved **HB 487** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Masolo, Matthews, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Peck, Quilici, Rehbein, Rose, Ryan,

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Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Taylor, Thomas, Trexler, Tropila, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 66

Noes: E. Bergsagel, P. Bergsagel, Buzzas, Dell, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hurdle, Jore, Krenzler, Lawson, Lenhart, Lindeen, Mangan, McCulloch, Menahan, Molnar, Pavlovich, Raney, Smith, Tuss, Vick, Wagner, Williams, Wyatt.

Total 31

Voted Absentee: Dale, Haines, Simon, Ayes; Molnar, No.

Excused: Grinde.

Total 1

Absent or not voting: Eggers, Tash.

Total 2

HB 528 - Representative Juneau moved **HB 528** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnhart, Beck, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 71

Noes: Adams, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, R. Clark, Davies, Fisher, Hanson, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, Molnar, Mood, Orr, Rehbein, Shockley, Story, Taylor, Vick, Wagner, Walters.

Total 27

Voted Absentee: Dale, Haines, Simon, Ayes; Molnar, No.

Excused: Grinde.

Total 1

Absent or not voting: Bookout-Reinicke.

Total 1

HB 534 - Representative Gallus moved **HB 534** do pass. Motion carried as follows:

Ayes: Ahner, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Soft, Somerville, Squires, Swanson, Tash, Thomas, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Mr.

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Speaker.
Total 73

Noes: Adams, J. Andersen, E. Bergsagel, P. Bergsagel, Cobb, Davies, Hanson, Jore, Kasten, Lawson, Masolo, McCann, McKenney, Orr, Rehbein, Shockley, Sliter, Smith, Story, Stovall, Taylor, Trexler, Vick, Walters, Zook.
Total 25

Voted Absentee: Dale, Haines, Molnar, Simon, Ayes.

Excused: Grinde.
Total 1

Absent or not voting: Ewer.
Total 1

HB 313 - Representative Raney moved **HB 313** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 88

Noes: Adams, Davies, Haines, Hedges, Jore, Kasten, Orr, Rehbein, Vick.
Total 9

Voted Absentee: Dale, Molnar, Simon, Ayes; Haines, No.

Excused: Grinde.
Total 1

Absent or not voting: E. Bergsagel, Bookout-Reinicke.
Total 2

Representative Sliter moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McGee moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith,

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Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: Jore, Rehbein, Wyatt.

Total 3

Excused: Dale, Grinde, Haines, Molnar, Simon.

Total 5

Absent or not voting: Hagener, McGee, Tuss.

Total 3

Representative Sliter moved that the House recess until 1:00 p.m. when the body will resolve itself into a joint session for the purpose of receiving the address from U.S. Senator Max Baucus and that upon adjournment the body will resolve itself into the committee of the whole for the purpose of 2nd reading. Motion carried.

House recessed at 11:50 a.m.

SPECIAL ORDERS OF THE DAY

House reconvened at 1:00 p.m. Mr. Speaker in the chair.

Sergeant-at-Arms Meuli escorted the Senate into the House Chamber.

Speaker Mercer introduced President Crippen and yielded the Chair to him.

Senator Harp moved that the body resolve itself into a joint session for the purpose of receiving the address from Montana's Senior U.S. Senator Max Baucus. Motion carried.

Senator Harp moved that President Crippen be authorized to appoint a committee of six to notify Senator Baucus that the House was in joint session and ready to receive his address. Motion carried.

President Crippen appointed Senators Franklin, Halligan, Mahlum, and Taylor, and Representatives Hibbard and Krenzler and discharged them to escort Senator Baucus into the House Chamber.

Sergeants-at-Arms Meuli and Cramer escorted Senator Baucus and the committee into the House Chamber.

After being introduced by President Crippen, U.S. Senator Max Baucus delivered the following address:

Speaker Mercer, President Crippen, Minority Leader Doherty, Minority Leader Swanson and members of the 56th Legislative Assembly, good afternoon. Thank you for once again welcoming me home to this chamber. It is indeed a great privilege to be here today to share with you some of my thoughts about the challenges faced by our state and our nation.

I am blessed to have many friends in this chamber on both sides of the aisle. Some of whom I served with when I was in the legislature, like Red Menahan, Joe Quilici and J.D. Lynch. And many others of you with whom I've worked side-by-side over the past 20 years. Folks like Dorothy Eck, Chase Hibbard, Carolyn Squires and Tom Zook. For many, due to term limits, this will be your last session in this body.

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So let me take this opportunity, on behalf of a grateful state, to thank those of you who will not be returning to the Legislature for your service, for your leadership, and for your friendship.

Even after all these years, I walk up the Capitol steps to work for you in the United States Senate and I am awed by the trust Montanans have bestowed on me. I believe public office is a sacred trust to put partisanship and division aside and work for the good of our state and our nation. I'm sure you feel the same way.

Sure, my job, a lot like yours does, has its difficulties, its frustrations. You might even say its trials and tribulations. But I get my energy for the job from Montana. For every time I get off the plane, I realize I am home. Truly home. There is a sense of place here in our state -- a sense of belonging -- that is distinct and powerful. It binds us together as a community and gives our lives strength and meaning.

By the time I get back on the plane to head off to Washington, I am re-charged and ready to tackle the challenges that face us as a people. I'm sure you all feel the same way about your transmittal break.

There is much we have accomplished -- and much yet to do. Important things: Bringing opportunities for prosperity to our rural communities -- so that the economic boom is felt not just on Wall Street, but on Main Street. Working to simplify the tax code to help small businesses and working families get ahead. Expanding access to health care, especially for children whose parents work hard but can't afford adequate coverage. And protecting the natural heritage of hunting, fishing and outdoor recreation that makes Montana, truly, the last best place.

There is much to do on a range of issues. And today I believe there is one challenge that is so important to the future of our state that it calls for us to make a special effort to work with courage, creativity, and cooperation.

This is about making a difference in the lives of our children, about preparing the next generation for the unique challenges of a new century, and about leaving a meaningful legacy for future generations. My friends, the time has come to bring the promise of a world-class education to every Montanan.

Some of my most vivid memories of youth are about my teachers.

I went to kindergarten right here in Helena, in the basement of the First Christian Church. I was lucky enough to be taught by Mrs. Foote -- a wonderful, kind woman who got me off to a good start and made sure that I understood the value of hard work. As a five-year-old, I wasn't great at keeping in touch with people. I lost track of Mrs. Foote, but never forgot her -- or the important lessons she taught me.

Now as most of you know, every month or so I work in a different job right here at home. Some days I stock shelves, other days I work on a construction crew, and just this last Monday I worked at a children's health clinic in Kalispell. I love it.

A couple of years ago, I was working with the meals on wheels program -- serving seniors who have difficulty getting around. It was lunchtime and I carried my tray to a door and knocked confidently. A little voice from inside told me to come in and so I pushed on the door and walked inside.

There, seated at the kitchen table was a woman I knew I recognized. We chatted for a moment and I asked her if she had taught kindergarten. She answered that she had. I then asked her if there was any chance she had taught in the basement of the First Christian Church at the corner of Benton and Power. She replied that she had. It was Mrs. Foote.

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Seeing her again, even after so many years, brought back warm memories of my first year in school. We got to visiting a while and she showed me an article about her career that appeared in the Great Falls Tribune that confirmed to me what I guess I had known all along. Mrs. Foote was a special teacher. You see, she had not one, but two masters degrees, one in art history and one in English literature. And with that knowledge she chose to teach kindergarten, my kindergarten. I was lucky to have Mrs. Foote in my life. Today, let us commit ourselves to ensuring that every child of Montana has a Mrs. Foote in their lives.

With us here today is another Mrs. Foote, Mrs. Lindberg and her kindergarten class from Jefferson Elementary School. Let's thank them for joining us and reminding us of how truly precious our future is.

These great leaders of tomorrow's Montana are getting an early start because our predecessors in this chamber had the foresight and wisdom to pass a law exactly 100 years ago, in 1899, establishing public kindergartens in Montana. Let's mark this anniversary by rededicating ourselves to Montana's children.

In just a few years, we will commemorate the journey of Meriwether Lewis and William Clark. We will talk of their courage and daring, of their deeds then and their legacy today. Thomas Jefferson called them and their men the Corps of Discovery. I believe he chose this name because for Jefferson this was a journey -- certainly to expand the frontiers of America -- but more importantly to expand the frontiers of our knowledge.

Lewis and Clark failed to find the River of the West connecting us to the Pacific. But, though they might not have realized it, they found something much more important -- the land under their very feet. For in the generations after they passed through here, this land became a home of opportunity.

Wagon train after wagon train, they came -- looking for a better future. They didn't find an easy life, but they didn't come here for that. All they wanted was a chance to succeed.

Back then that chance to succeed was found in the land itself -- in the Gold and Silver, the Oro y Plata. But today our world has changed. A strong back is no longer a ticket to success. Today, for Montanans to have a chance to succeed, we need a flexible mind.

As Lewis and Clark set out to map a new territory, we are about to set out to map a new century. A new century of a global marketplace, information technology that connects us to the entire world, and a New Economy where innovation is the engine of prosperity. To find our way in this new century, we need new thinking on how to help Montanans have a chance at success.

That's why today I am announcing the "Corps of Discovery" agenda -- a comprehensive package of education initiatives that will educate our kids for tomorrow's jobs, provide classrooms equipped for the 21st century, and improve access to higher education for every Montanan. This new "Corps of Discovery" will give our children the core knowledge they need to compete and win in the next century.

Now before I tell you any more about what the "Corps of Discovery" agenda is, let me clearly tell you what it is not. It is not a top-down, Washington-centered, big-government solution to all our problems. Education is a national concern, but that doesn't mean that the federal government has all the answers.

This Congress must re-authorize the single largest piece of education funding legislation in our nation -- the Elementary and Secondary Education Act. And while I am a strong supporter of the bill, I believe that some of the federal mandates in it have become burdensome on local teachers and educators.

That's why I will work hard to build more flexibility into this bill and make sure it provides the kind of support

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our kids deserve. Rules that make sense in Manhattan, New York don't necessarily work in Manhattan, Montana -- and we shouldn't pretend that they do. That's why my new "Corps of Discovery" agenda is built on solutions that are truly made in Montana -- solutions that meet the special needs of rural states.

I'm confident we have the tools we need to succeed. Right here at home. But we all know that tools that are rusting in the shed are useless. We need to get the tools out of the shed, shine 'em up and put them to work for our kids.

So what is the "Corps of Discovery?" It starts with preparing our kids for the jobs of tomorrow. That means connecting them to the endless possibilities technology has to offer. The Internet holds the promise of giving every child in every small town in Montana the access to the same universe of knowledge. Imagine a young boy in Columbia Falls who can read the great books in the Library of Congress. A young girl in Hamilton who can look at every painting in the National Gallery of Art. We can make their horizons so large that the skies of the Great Plains will seem cramped in comparison. That's why I'm fighting for the "e-rate" -- which gives deep discounts on Internet access to Montana's schools.

And that's why I will continue to make sure every school in Montana has computer access for its students. As you know, the federal government provides surplus computers to schools. Through that program alone we've delivered over 300 computers to Montana schools. Early on in the program I was able to get about 150 computers from the Minerals Management Service. I was thrilled. The problem was, the computers were in Denver, and the kids who needed them were here. That's where Ray Kuntz came in.

Ray offered the services of his company, Watkins-Shepard trucking, and they shipped every last one of those computers to Montana. Ray is with us today and is an example of the kind of public-private partnership that means so much to our communities. Thank you Ray.

I'm encouraged to hear this legislature is considering a similar program in the state. If Lewis and Clark could cross the Continental Divide, we can conquer the digital divide.

The second part of the "Corps of Discovery" agenda is providing classrooms equipped for the 21st century. Because all the wonderful technology in the world is useless if our classrooms aren't modern enough to support it.

Think of this beautiful and historic Capital building -- only a few years away from celebrating its one hundredth birthday. It has grown and expanded over the years; now it is being renovated. I applaud all this. And I'm sure you'll agree that our children's schools deserve the same. That's why I'm proud to sponsor the Public Schools Excellence Act to provide \$23 billion in bonding authority to help local communities rebuild and modernize our schools.

Unfortunately, this good bill leaves out the 12,000 Montana kids who live on federal lands. So today I'm announcing that I will introduce a bill that includes \$34 million in aid to Montana so that these children don't get left behind.

But even the best classrooms and computers aren't as important as high-quality teachers. That's why I have co-sponsored legislation to recruit, retain, and train a whole new generation of bright and energetic teachers. A new generation of Mrs. Footes.

Kids can't learn -- and parents can't get much work done -- when they have to worry about school violence. Sadly, we in Montana are no longer immune from this problem. We must honor those we have lost like Jeremy

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Bullock in Butte by committing to each other that it will never happen again. That's why the "Corps of Discovery" plan calls for 10,000 new, qualified counselors in America's schools to give our kids the guidance they need. And that's why I am pleased to report to you a \$350,000 grant to the University of Montana to help train teachers to deal with school violence.

The third part of the "Corps of Discovery" agenda is improving access to higher education for all Montanans. Because in an age when technology and innovation leap past science fiction, a high school diploma just isn't enough.

The great journey of discovery must continue at every tribal college, every college of technology, every community college and on each of our university campuses.

Over the past couple of years the Congress has made meaningful, bi-partisan, changes that help Montana families send their kids to college. We've adopted the Hope Scholarship, a \$1500 tax credit for postsecondary education. In the very first year of this program 15,000 Montana families were eligible for savings totaling \$22.5 million. We established the Lifetime Learning which helps put lifetime learning in reach for every Montana family by providing an additional tax credit for students of all ages who go back to school to improve their job skills.

And do you know how many Montana students use Pell Grants and student loans to at least partially fund their education? 80%. Let me repeat that. 80% of Montana students use Pell Grants or student loans to go to college.

Now I believe that there is no such thing as a free lunch. I don't believe in handouts or in something for nothing. But when young Montanans have worked hard and stayed straight, they shouldn't be denied a college education just because their parents can't afford it. That's not the America that we believe in. That's why my "Corps of Discovery" plan includes legislation to increase the amount of the Hope Scholarship, to extend the Lifetime Learning Credit to include employer contributions. And I'll push to fully fund Pell Grant and student loan programs -- to throw open the doors of college to every student who needs our help.

And, after students have walked through those doors and finished college, we should not turn our backs on them. Too often, graduates are saddled with years of student loan debts that keep them from following their dreams. That's why my "Corps of Discovery" plan makes every cent of interest on student loans tax deductible. Hard working graduates paying off their loans should not have to worry about another bill from the IRS.

Together, these programs have already helped literally tens of thousands of Montanans pursue an advanced degree. The future of this new generation is in our hands. We are the stewards of their future. We cannot let them down.

Educating our kids for the jobs of tomorrow, giving our kids a better learning environment, improving higher education for Montana families, and maintaining local control over education decisions. That's my "Corps of Discovery" agenda -- its new, its different, but it will work.

The world is changing every day. And yet in other ways, more important ways, it is the same. We are still Americans. We are still Montanans -- part of a community in which we are responsible for ourselves and each other. A community of people who share rights and freedoms that bind us together and make the value of our whole greater than the sum of our parts.

When Thomas Jefferson sent Lewis and Clark out on their voyage two centuries ago, he dreamt of what he called "an Empire of Liberty." Today, let's carry his vision into a new century and give our children the liberty to live out their own dreams and chart their own voyage of discovery.

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So as we go from here toward a new millennium, let us remember, each one of us, as Montanans and as Americans, that the future is in our hands, and ours alone. Our actions will determine the course of a new century. That is the beauty of democracy.

Let us set forth and greet the new century committed as a people, one people, to work together. To create a place where quality educational opportunity for every Montanan is guaranteed, a place where the agricultural economy that is so much a part of our way of life can again thrive, a place where tensions over natural resource issues fade away, and a place where every hardworking Montana family can have a piece of the American dream.

God bless you and God bless Montana.

Pastor Keith Johnson of the Evangelical Covenant Church gave the benediction.

The committee escorted Senator Baucus from the House Chamber.

Senator Harp moved that the joint session of the 56th legislature be adjourned. Motion carried.

Roll call. Quorum present.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Sliter moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McGee in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 563 - Representative Gillan moved **HB 563** do pass.

HB 563 - Representative Gillan moved **HB 563**, second reading copy, be amended as follows :

1. Title, line 5.

Following: "UPON"

Insert: "SUCCESSFUL"

2. Title, line 6.

Following: "INSTITUTION"

Insert: "AND A DEMONSTRATION OF COMPETENCY TO THE BOARD OF MEDICAL EXAMINERS"

3. Page 1, line 21.

Following: "has"

Insert: "demonstrated to the board competency in the use of acupuncture and has successfully"

Following: "proof of"

Insert: "successful"

4. Page 2, line 20.

Following: "education"

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Insert: "and competency"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Jackson.

Total 1

Excused: Dale, Grinde, Haines, Molnar, Simon.

Total 5

Absent or not voting: Bitney, Bookout-Reinicke, Curtiss.

Total 3

HB 563 - Representative Vick moved for cloture. Motion carried.

Motion that **HB 563**, as amended, do pass failed as follows:

Ayes: Barnett, Beck, P. Bergsagel, Brown, E. Clark, P. Clark, Dale, Dell, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Hagener, Haines, Harrington, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Masolo, Matthews, McGee, Molnar, Noennig, Peck, Quilici, Rehbein, Ryan, Schmidt, Simon, Soft, Somerville, Stovall, Tropila, Vick, Wyatt.

Total 43

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, E. Bergsagel, Bitney, Brainard, Buzzas, R. Clark, Cobb, Curtiss, Davies, Eggers, Erickson, Ewer, Facey, Fisher, Gutsche, Hanson, Harper, Hedges, Hibbard, Holden, Jore, Kasten, Lindeen, McCann, McCulloch, McKenney, Menahan, Mood, Ohs, Orr, Pavlovich, Rose, Shockley, Sliter, Smith, Squires, Story, Swanson, Tash, Taylor, Thomas, Trexler, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 54

Voted Absentee: Dale, Haines, Molnar, Simon, Ayes.

Excused: Grinde.

Total 1

Absent or not voting: Bookout-Reinicke, Raney.

Total 2

HB 326 - Representative Brainard moved **HB 326** do pass. Motion carried as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Gillan, Golie, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: E. Clark, Galvin-Halcro, Hagener, Lenhart, Pavlovich, Peck, Quilici, Schmidt.

Total 8

Voted Absentee: Dale, Haines, Molnar, Simon, Ayes.

Excused: Grinde.

Total 1

Absent or not voting: Bitney, Cobb, Fisher, Younkin.

Total 4

HB 443 - Representative Sliter moved consideration of **HB 443** be passed for the day. Motion carried.

HB 458 - Representative Ohs moved **HB 458** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Jore.

Total 1

Voted Absentee: Dale, Haines, Molnar, Simon, Ayes.

Excused: Grinde.

Total 1

Absent or not voting: S. Anderson, Bitney, Cobb, Fisher, Hedges, Younkin.

Total 6

HB 485 - Representative Anderson moved **HB 485** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney,

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Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Davies, Eggers, Fisher, Fuchs, Gallus, Gillan, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lindeen, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 74

Noes: Buzzas, P. Clark, Dell, Erickson, Ewer, Facey, Galvin-Halcro, Golie, Guggenheim, Gutsche, Harper, Hurdle, Krenzler, Lenhart, Mangan, McCulloch, Peck, Raney, Ryan, Schmidt, Squires, Swanson, Williams, Wyatt.

Total 24

Voted Absentee: Haines, Molnar, Simon, Ayes.

Excused: Dale, Grinde.

Total 2

Absent or not voting: None.

Total 0

HB 432 - Representative Tuss moved consideration of **HB 432** be passed for the day. Motion carried.

HB 352 - Representative Brainard moved **HB 352** do pass.

HB 352 - Representative Brainard moved **HB 352**, second reading copy, be amended as follows :

1. Page 2, line 9.

Following: "landowners"

Insert: "unless all of the landowners agree to the abandonment"

2. Page 2, line 20.

Following: "landowners"

Insert: "unless all of the landowners agree to the abandonment"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: Erickson, Galvin-Halcro, McCann, Wyatt.

Total 4

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Excused: Dale, Grinde, Haines, Molnar, Simon.
Total 5

Absent or not voting: Harrington, Tuss.
Total 2

Motion that **HB 352**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Haines, Harper, Hedges, Hibbard, Holden, Jackson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Peck, Raney, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Swanson, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.
Total 82

Noes: S. Anderson, Barnett, Hagener, Hanson, Harrington, Hurdle, Johnson, Krenzler, Noennig, Quilici, Rehbein, Rose, Smith, Stovall, Tash, Taylor, Zook.
Total 17

Voted Absentee: Dale, Haines, Molnar, Simon, Ayes.

Excused: Grinde.
Total 1

Absent or not voting: None.
Total 0

HB 539 - Representative Sliter moved **HB 539** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Juneau, Kitzenberg, Krenzler, Lawson, Lindeen, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Pavlovich, Quilici, Raney, Shockley, Simon, Sliter, Soft, Somerville, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Wagner, Walters, Williams, Witt, Younkin, Mr. Speaker.
Total 66

Noes: Adams, Buzzas, Curtiss, Davies, Erickson, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hurdle, Johnson, Jore, Kasten, Lenhart, Mangan, Masolo, McCann, Noennig, Orr, Peck, Rehbein, Rose, Ryan, Schmidt, Smith, Squires, Story, Taylor, Tuss, Vick, Wyatt, Zook.
Total 32

Voted Absentee: Dale, Haines, Molnar, Simon, Ayes.

Excused: Grinde.
Total 1

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Absent or not voting: S. Anderson.
Total 1

HJR 22 - Representative Masolo moved **HJR 22** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 94

Noes: Jore, Orr, Squires, Vick.
Total 4

Voted Absentee: Dale, Haines, Molnar, Simon, Ayes.

Excused: Grinde.
Total 1

Absent or not voting: Sliter.
Total 1

HB 482 - Representative Mangan moved **HB 482** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 90

Noes: Adams, E. Bergsagel, Bookout-Reinicke, Curtiss, Jore, Orr, Rehbein, Vick.
Total 8

Voted Absentee: Dale, Haines, Molnar, Simon, Ayes.

Excused: Grinde.
Total 1

Absent or not voting: P. Bergsagel.
Total 1

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HB 551 - Representative Cobb moved **HB 551** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: Adams, Jore, Orr, Rehbein.
Total 4

Voted Absentee: Dale, Haines, Molnar, Simon, Ayes.

Excused: Grinde.
Total 1

Absent or not voting: None.
Total 0

Representative Sliter moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McGee moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 85

Noes: Jore, Rehbein.
Total 2

Excused: Dale, Grinde, Haines, Molnar, Simon.
Total 5

Absent or not voting: Brainard, Davies, Ewer, Juneau, Mangan, McGee, Orr, Walters.
Total 8

MOTIONS

Representative Witt requested on **SB 171**, 3rd reading today, that his vote be shown as yes. There being no

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objections, so ordered.

Representative Jackson requested on **HB 241**, and **HB 362**, 3rd reading today, that his votes be shown as yes. There being no objections, so ordered.

Representative Davies requested on **HB 583**, 2nd reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Sliter moved that **HB 313** be rereferred to the Committee on Appropriations. Motion carried.

SPECIAL ORDERS OF THE DAY

The following cosponsors have been added to **HB 637**: Representatives Gallus, Gillan, Harrington, Matthews, Ryan, and Swanson.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Sliter moved that the House adjourn until 9:00 a.m., Friday, February 19, 1999. Motion carried.

House adjourned at 3:20 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

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Helena, Montana
February 19, 1999

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative McKenney. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Dale and Molnar. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman):

2/19/1999

Correctly printed: **HB 59, HB 104, HB 127, HB 181, HB 185, HB 188, HB 273, HB 298, HB 325, HB 329, HB 336, HB 342, HB 345, HB 363, HB 366, HB 395, HB 408, HB 431, HB 468, HB 476, HB 490, HB 494, HB 499, HB 506, HB 508, HB 526, HB 529, HB 530, HB 559, HB 561, HB 566, HB 570, HB 575, HB 577, HB 578, HB 580, HB 585, HB 588, HB 590, HB 592, HB 593, HB 596, HB 601, HB 606, HB 608, HB 613, HB 614, HB 616, HB 617, HB 620, HB 623, HB 625, HB 632, HB 633, HB 635, HJR 23, HJR 25, HJR 28, HJR 31.**

Correctly engrossed: **HB 314, HB 326, HB 352, HB 444, HB 458, HB 482, HB 485, HB 486, HB 487, HB 488, HB 528, HB 533, HB 534, HB 539, HB 551, HB 583, HB 584, HJR 25.**

Correctly enrolled: **HB 3.**

Examined by the sponsor and found to be correct: **HB 3.**

Signed by the Speaker at 8:17 a.m., February 19, 1999: **HB 36, HB 141, HR 2.**

Delivered to the Secretary of State on February 19, 1999: **HR 2.**

Delivered to the Governor for his approval at 9:40 a.m., February 19, 1999: **HB 85, HB 93, HB 137, HB 138, HB 139, HB 175, HB 194.**

APPROPRIATIONS (Zook, Chairman):

2/19/1999

HB 92, introduced bill, be amended as follows:

1. Title, line 5.

Following: "MONEY"

Insert: "FROM THE COAL SEVERANCE TAX PERMANENT FUND"

2. Title, line 11.

Following: " ;"

Insert: "REQUIRING A THREE-FOURTHS VOTE;"

3. Page 1, line 17.

Strike: "general"

Insert: "coal severance tax permanent"

Following: "fund"

Insert: "a loan in the amount of"

4. Page 1, line 22.

Strike: "general"

Insert: "coal severance tax permanent"

5. Page 2, line 15.

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Insert: "NEW SECTION. Section 4. Loan agreement. In order to make the loan authorized in [section 1], the board of investments shall enter into a contract with the department of justice pledging the amount recovered in the litigation to the repayment of the loan to the full extent allowable under the law. The contract must provide that the loan repayment must be deposited in the coal severance tax permanent fund. To the extent possible, the board shall make the loan from the portion of the coal severance tax permanent fund invested in the short-term pool. The loan authorized in [section 1] may not be made until the contract required by this section has become effective."

Insert: "NEW SECTION. Section 5. Three-fourths vote. Because [section 1] appropriates money from the coal severance tax permanent fund, Article IX, section 5, of the Montana constitution requires a vote of three-fourths of the members of each house of the legislature for passage."

Renumber: subsequent sections

6. Page 2, line 16.

Strike: ", 3, and "

Insert: "through"

Following: "5"

Insert: "and 7"

And, as amended, do pass. Report adopted.

HB 433, do pass. Report adopted.

HB 536, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: the first "TO"

Strike: the remainder of line 6

2. Title, page 1, line 7.

Following: "THE"

Strike: "GENERAL FUND"

Insert: "BOARD OF INVESTMENTS"

3. Title, page 1, line 9.

Following: " ; "

Insert: "PROVIDING FOR A SEMIANNUAL REPORT TO THE LEGISLATIVE FINANCE COMMITTEE;"

4. Title, page 1, line 10.

Strike: the first "AND"

Following: "33-22-1513,"

Insert: "AND 33-22-1514,"

5. Page 1, line 15.

Following: "for"

Strike: "supplemental appropriations and"

6. Page 1, line 16.

Strike: "The association is authorized to seek supplemental appropriations if"

Insert: "(1) If"

7. Page 1, line 19.

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Strike: ". The"

Insert: ", the"

8. Page 1, line 19.

Strike: "general fund"

Insert: "board of investments"

9. Page 1, line 21.

Following: ". "

Insert: "(2) Whenever the association accepts a loan from the board of investments pursuant to this section, it shall repay the loan and any interest required under the terms of the loan through assessments and premium income."

10. Page 4, line 25.

Strike: "or"

Following: "insurance"

Insert: ", medicare risk or other similar medicare health maintenance organization payments, or medicaid health maintenance organization payments"

11. Page 5, following line 25.

Insert: "**Section 5.** Section 33-22-1514, MCA, is amended to read:

"33-22-1514. Administration of association plan -- rules. (1) The association shall select one lead carrier to issue the association plan. The board of directors of the association shall prepare appropriate specifications and bid forms and may solicit bids from licensed administrators and the members of the association for the purpose of selecting the lead carrier. The selection of the lead carrier must be based upon criteria established by the board of directors.

(2) The lead carrier shall perform all administrative and claims payment functions required by this section upon the commissioner's approval of the policy forms and contracts submitted. The lead carrier shall provide these services for a period of at least 3 years, unless a request to terminate is approved by the association and the commissioner. The association and the commissioner shall approve or deny a request to terminate within 90 days of its receipt. A failure to make a final decision on a request to terminate within the specified period is considered an approval. The association shall invite submissions of policy forms from members of the association, including the lead carrier, 6 months prior to the expiration of each 3-year period. The association shall follow the procedure provided in subsection (1) in selecting a lead carrier for the subsequent 3-year period or, if a request to terminate is approved, on or before the end of the 3-year period.

(3) The lead carrier shall provide all eligible persons involved in the association plan an individual certificate setting forth a statement as to the insurance protection to which the person is entitled, the method and place of filing claims, and to whom benefits are payable. The certificate must indicate that coverage was obtained through the association.

(4) The lead carrier shall submit to the association, the legislative finance committee, and the commissioner on a semiannual basis a report of the operation of the association plan. The association must determine the specific information to be contained in the report prior to the effective date of the association plan.

(5) The lead carrier shall pay all claims pursuant to this part and shall indicate that the claim was paid by the association plan. Each claim payment must include information specifying the procedure involved in the event a dispute over the amount of payment arises.

(6) The lead carrier must be reimbursed from the association plan premiums received for its direct and indirect expenses. Direct and indirect expenses include a prorated reimbursement for the portion of the lead carrier's administrative, printing, claims administration, management, and building overhead expenses, which are assignable to the maintenance and administration of the association plan. The association must approve cost accounting methods

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to substantiate the lead carrier's cost reports consistent with generally accepted accounting principles. Direct and indirect expenses may not include costs directly related to the original submission of policy forms prior to selection as the lead carrier.

(7) The lead carrier is, when carrying out its duties under this part, an independent contractor for the association and is individually liable for its actions, subject to the laws of this state."

Renumber: subsequent sections

12. Page 5, line 27.

Strike: "\$1"

Insert: "\$2"

13. Page 5, line 28.

Strike: "each of the fiscal years 2000 and "

Insert: "the"

Following: "2001"

Insert: "biennium"

And, as amended, do pass. Report adopted.

HB 537, do pass. Report adopted.

HB 538, do pass. Report adopted.

BUSINESS AND LABOR (Simon, Chairman):

2/18/1999

HB 100, introduced bill, be amended as follows:

1. Title, line 7.

Following: "LAWS;"

Insert: "DEFINING "INVOLUNTARY UNEMPLOYMENT INSURANCE"; DEFINING "GAP INSURANCE"
AND "GAP AMOUNT";"

2. Title, line 9.

Following: "SECTIONS"

Insert: "27-1-306,"

3. Title, line 10.

Following: "31-1-233,"

Insert: "33-1-311,"

Following: "33-2-502,"

Insert: "33-2-521,"

4. Title, line 11.

Following: "33-10-102,"

Insert: "33-15-336,"

5. Title, line 12.

Following: "33-16-104,"

Strike: "33-16-1001,"

Following: "33-16-1022,"

Strike: "33-16-1024,"

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6. Title, line 13.

Strike: "33-17-603,"

7. Title, line 14.

Following: "33-22-140,"

Strike: "33-22-205,"

8. Title, line 16.

Following: "33-22-1819,"

Strike: "33-30-102,"

Insert: "33-23-212,"

9. Page 1.

Following: line 21

Insert: "Section 1. Section 27-1-306, MCA, is amended to read:

"27-1-306. When replacement value to be allowed. The measure of damages in a case in which the cost of repairing a motor vehicle exceeds its value is the actual replacement value of the motor vehicle rather than its "book" value unless, after the damages arise, the parties agree to use the "book" value. "Book" value must be determined by referring to ~~the used car guides listed in 61-3-503(1)(c)~~ the most recent volume of the Mountain States Edition of the National Automobile Dealers Association (N.A.D.A.) Official Used Car Guide, the National Edition of the N.A.D.A. Appraisal Guides Official Older Used Car Guide, or another nationally published used vehicle or appraisal guide approved by the department of revenue. Actual replacement value is the actual cash value of the motor vehicle immediately prior to the damage. "Book" value may be used to assist in determining the actual replacement value of the motor vehicle."

Renumber: subsequent sections

10. Page 3, line 13.

Following: "is:"

Insert: "is"

11. Page 16, line 29.

Strike: "and examination costs collected under 30-10-210"

12. Page 18, line 7.

Following: "or"

Insert: "clients who meet the requirements of subsection"

13. Page 18, line 22.

Following: "or"

Insert: "clients who meet the requirements of subsection"

14. Page 24.

Following: line 29

Insert: "Section 10. Section 33-1-311, MCA, is amended to read:

"33-1-311. General powers and duties. (1) The commissioner shall enforce the applicable provisions of the laws of this state and shall execute the duties imposed on the commissioner by the laws of this state.

(2) The commissioner has the powers and authority expressly conferred upon the commissioner by or reasonably implied from the provisions of the laws of this state.

(3) The commissioner shall administer the department to ensure that the interests of insurance consumers

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are protected.

(4) The commissioner may conduct examinations and investigations of insurance matters, in addition to examinations and investigations expressly authorized, as the commissioner considers proper, to determine whether any person has violated any provision of the laws of this state or to secure information useful in the lawful administration of any provision. The cost of additional examinations and investigations must be borne by the state.

(5) The commissioner shall maintain as confidential any information or document received from:

(a) the national association of insurance commissioners; or (b) an insurance department from another state that treats the same information or document as confidential. The commissioner may provide information or documents, including information or documents that are confidential, to the national association of insurance commissioners, a state or federal law enforcement agency, or an insurance department in another state, if the recipient agrees to maintain the confidentiality of the information or documents.

~~(5)~~(6) The department is a criminal justice agency as defined in 44-5-103."

Renumber: subsequent sections

15. Page 27, line 6.

Following: "such"

Insert: "issued and"

Following: "stock"

Insert: "issued by the insurer"

16. Page 27, line 7.

Following: "by"

Strike: "the"

Following: "stock"

Insert: "issued by the insurer"

17. Page 27.

Following: line 21

Insert: "Section 14. Section 33-2-521, MCA, is amended to read:

"33-2-521. Standard valuation of reserve liabilities law -- life insurance. (1) The commissioner shall annually value or cause to be valued the reserve liabilities (reserves) for all outstanding life insurance policies and annuity and pure endowment contracts of every life insurer doing business in this state and may certify the amount of any reserves, specifying the mortality table or tables, rate or rates of interest, and methods (net level premium method or other) used in the calculation of reserves. In calculating the reserves, the commissioner may use group methods and approximate averages for fractions of a year or otherwise.

(2) In lieu of the valuation of the reserves required in this section of any foreign or alien insurer, the commissioner may accept any valuation made or caused to be made by the insurance supervisory official of any state or other jurisdiction when the valuation complies with the minimum standard provided in this section and if the official of the other state or jurisdiction accepts as sufficient and valid for all legal purposes the certificate of valuation of the commissioner when the certificate states the valuation to have been made in a specified manner according to which the aggregate reserves would be at least as large as if they had been computed in the manner prescribed by the law of that state or jurisdiction.

(3) Any insurer that has adopted any standard of valuation producing greater aggregate reserves than those calculated according to the minimum standard provided in this section may, with the approval of the commissioner, adopt any lower standard of valuation but not lower than the minimum in this section. For the purposes of this section, the holding of additional reserves previously determined by a qualified actuary to be necessary to render the opinion required in subsection (4) may not be considered to be the adoption of a higher standard of valuation.

(4) (a) Each life insurer doing business in this state shall annually submit the opinion of a qualified actuary as to whether the reserves and related actuarial items held in support of the policies and contracts specified by the

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commissioner by rule are computed appropriately, are based on assumptions that satisfy contractual provisions, are consistent with prior reported amounts, and comply with applicable laws of this state. The commissioner by rule shall define the specifics of this opinion and add any other items considered necessary to its scope.

(b) Each life insurer, except as exempted by or pursuant to regulation, shall also annually include in the opinion required by subsection (4)(a) an opinion of the same qualified actuary as to whether the reserves and related actuarial items held in support of the policies and contracts specified by the commissioner by rule, when considered in light of the assets held by the insurer with respect to the reserves and related actuarial items, including but not limited to the investment earnings on the assets and the considerations anticipated to be received and retained under the policies and contracts, make adequate provision for the insurer's obligations under the policies and contracts, including but not limited to the benefits under and expenses associated with the policies and contracts.

(c) The commissioner may provide by rule for a transition period for establishing any higher reserves that the qualified actuary may consider necessary in order to render the opinion required by this subsection (4).

(d) Each opinion required by this subsection (4) must be governed by the following provisions:

(i) A memorandum, in form and substance acceptable to the commissioner as specified by rule, must be prepared to support each actuarial opinion.

(ii) If the insurer fails to provide a supporting memorandum at the request of the commissioner within a period specified by rule or if the commissioner determines that the supporting memorandum provided by the insurer fails to meet the standards prescribed by the rules or is otherwise unacceptable to the commissioner, the commissioner may engage a qualified actuary at the expense of the insurer to review the opinion and the basis for the opinion and to prepare any supporting memorandum as is required by the commissioner.

(iii) The opinion must be submitted with the annual statement reflecting the valuation of the reserve liabilities for each year ending on or after December 31, 1996.

(iv) The opinion must apply to all business in force, including individual and group health insurance plans, in form and substance acceptable to the commissioner as specified by rule.

(v) The opinion must be based on standards adopted from time to time by the actuarial standards board and on additional standards as the commissioner may prescribe by rule.

(vi) In the case of an opinion required to be submitted by a foreign or alien insurer, the commissioner may accept the opinion filed by that insurer with the insurance supervisory official of another state if the commissioner determines that the opinion reasonably meets the requirements applicable to a company domiciled in this state.

(vii) Except in cases of fraud or willful misconduct, the qualified actuary is not liable for damages to any person, other than the insurer and the commissioner, for any act, error, omission, decision, or conduct with respect to the actuary's opinion.

(viii) Disciplinary action by the commissioner against the insurer or the qualified actuary must be defined in rules by the commissioner.

(ix) Any memorandum in support of the opinion and any other material provided by the insurer to the commissioner in connection with those items must be kept confidential by the commissioner, may not be made public, and is not subject to subpoena, other than for the purpose of defending an action seeking damages from any person by reason of any action required by this subsection (4) or by rules promulgated under this subsection (4). However, the memorandum or other material may otherwise be released by the commissioner:

(A) with the written consent of the insurer; or

(B) to the American academy of actuaries upon request stating that the memorandum or other material is required for the purpose of professional disciplinary proceedings and setting forth procedures satisfactory to the commissioner for preserving the confidentiality of the memorandum or other material. Once any portion of the confidential memorandum is cited by the insurer in its marketing, is cited before any governmental agency other than a state insurance department, or is released by the insurer to the news media, all portions of the confidential memorandum are no longer confidential.

(5) For purposes of this section, "qualified actuary" means a member in good standing of the American academy of actuaries who meets the requirements set forth in the academy's rules."

Renumber: subsequent sections

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18. Page 35.

Following: line 16

Insert: "Section 25. Section 33-15-336, MCA, is amended to read:

"33-15-336. **Applicability.** (1) Other statutes of this state setting simplification standards for language or format do not apply to property and casualty policies.

(2) Sections 33-15-333 through 33-15-340 do not apply to policies in manuscript form or to the following kinds of insurance:

(a) ocean marine;

(b) surety and financial institution bonds;

(c) reinsurance; ~~or~~

(d) commercial aviation; or

(e) large commercial risks whose aggregate annual premiums for insurance on all risks totals at least \$100,000.

(3) A non-English policy is considered in compliance with 33-15-337 if it was translated from an English policy that complies with 33-15-337."

Renumber: subsequent sections

19. Page 35, line 22.

Strike: "90"

Insert: "60"

20. Page 37, lines 14 through 20.

Strike: section 25 in its entirety

Renumber: subsequent sections

21. Page 39, line 8 through page 40, line 20.

Strike: sections 28 and 29 in their entirety

Renumber: subsequent sections

22. Page 41, line 7.

Following: "a"

Strike: "A"

Insert: "If the applicant is a"

23. Page 41, lines 9 through 11.

Following: "examination" on line 9

Strike: the remainder of line 9 through "producer" on line 11

Insert: ", each individual who is to be named in the license as having authority to act for the applicant in its insurance transactions under the license shall meet the qualifications as provided in this section"

24. Page 42, line 11.

Strike: subsection (h) in its entirety

Renumber: subsequent subsections

25. Page 42, line 12.

Strike: "or"

Insert: "(i) a gap insurance producer;

(j) involuntary unemployment insurance producer; or"

Renumber: subsequent subsection

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26. Page 42, lines 23 and 24.

Following: "insurer" on line 23

Strike: the remainder of line 23 through the first "insurer" on line 24

Strike: "becomes"

Insert: "is"

27. Page 42, lines 25 and 26.

Following: "section." on line 25

Strike: the remainder of line 25 and line 26 in its entirety

Insert: "This does not prevent an insurance producer from obtaining and presenting a quotation from an insurer with whom the producer is not appointed. If the insurer consents, the insurer may bind coverage on a risk in accordance with 33-15-411 prior to the execution of an agency contract and policy issuance."

28. Page 42, line 27.

Strike: "(a)"

Insert: "(2)"

29. Page 42, lines 28 and 29.

Following: "executed" on line 28

Strike: "or the first insurance application is submitted by"

Insert: "with"

Following: "producer,"

Strike: "whichever" through "earlier," on line 29

30. Page 43, lines 2 through 8.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

31. Page 43, line 9.

Strike: "(2)"

Insert: "(3)"

Renumber: subsequent subsections

32. Page 43, lines 9 and 10.

Following: "verify" on line 9

Strike: the remainder of line 9 through "days" on line 10

33. Page 43, line 12.

Strike: "within 5 days"

34. Page 43, line 13.

Following: "executed"

Insert: "agency"

35. Page 43, line 14.

Following: "department"

Insert: ", unless the appointment is disapproved by the insurance department. A disapproved appointment is void on the date the department provides notification to the insurer"

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36. Page 43, line 15.

Following: "insurer"

Strike: "or insurance producer"

37. Page 43, lines 27 through 30.

Strike: subsection (4) in its entirety

38. Page 44, lines 13 through 30.

Strike: section 34 in its entirety

39. Page 45, line 14.

Strike: "5"

Insert: "2 1/2"

40. Page 45, line 26.

Strike: "(7)(i)"

Insert: "(7)(k)"

41. Page 52, lines 23 and 24.

Following: "coverage" on line 23

Strike: the remainder of line 23 through "year" on line 24

Insert: "issued to a large employer"

42. Page 53, lines 27 and 28.

Following: "coverage" on line 27

Strike: "the remainder of line 27 through "year" on line 28"

Insert: "maintained by a small employer as defined in 33-22-1803"

43. Page 54, lines 5 through 26.

Strike: section 43 in its entirety

Renumber: subsequent sections

44. Page 59, line 13.

Strike: "may be"

Insert: "is"

45. Page 59, line 14.

Strike: "maximum"

Insert: "minimum"

46. Page 59, line 19.

Strike: "may be"

Insert: "is"

Strike: "maximum"

Insert: "minimum"

47. Page 60, line 6.

Strike: "may be"

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Insert: "is"
Strike: "maximum"
Insert: "minimum"

48. Page 61, line 1.
Strike: "may be"
Insert: "is"

49. Page 61, line 2.
Strike: "maximum"
Insert: "minimum"

50. Page 61, line 7.
Strike: "may be"
Insert: "is"
Strike: "maximum"
Insert: "minimum"

51. Page 61, line 23.
Strike: "may be"
Insert: "is"
Strike: "maximum"
Insert: "minimum"

52. Page 80.
Following: line 24
Insert: "Section 55. Section 33-23-212, MCA, is amended to read:

"33-23-212. Notice required for cancellation -- statement that insurer will specify reason upon request -- exception -- penalty. (1) Notwithstanding any other provision of this code, ~~no~~ a cancellation by an insurer of a motor vehicle liability insurance policy may not be effective prior to the mailing or delivery to the named insured, at the address shown in the policy, of a written notice of the cancellation stating the date on which, not less than 30 days after the date of such mailing or delivery, the cancellation becomes effective.

(2) ~~No~~ A notice of cancellation of a policy to which 33-23-211 applies may not be effective unless mailed or delivered by the insurer to the named insured at least 30 days prior to the effective date of cancellation; provided, however, that where cancellation is for nonpayment of premium, at least 10 days' notice of cancellation accompanied by the reason ~~therefor~~ must be given. Unless the reason accompanies or is included in the notice of cancellation, the notice of cancellation must state or be accompanied by a statement that upon written request of the named insured, mailed or delivered to the insurer not less than ~~15~~ 21 days prior to the effective date of cancellation, the insurer ~~will~~ shall specify the reason for ~~such~~ the cancellation.

(3) Subsection (2) does not apply to nonrenewal.

(4) Any insurer willfully violating any provisions of subsection (2) of this section is guilty of a misdemeanor and is punishable by a fine not exceeding \$500 for each violation thereof."

53. Page 80, line 26 through page 81, line 4.
Strike: section 56 in its entirety
Renumber: subsequent sections

54. Page 82, line 16.
Following: "corporation."

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Insert: "(4) The commissioner may decrease or suspend the requirements of this section if the commissioner finds that the action is in the best interest of the members of the corporation."

55. Page 97, lines 14 through 23.

Strike: section 67 in its entirety

Insert: "NEW SECTION. Section 66. Service contract. (1) Service contract means a contract or agreement for a separately stated consideration for a specific duration to perform the repair, replacement, or maintenance of property or to indemnify for the repair, replacement, or maintenance of property if an operational or structural failure is due to a defect in materials or manufacturing or to normal wear and tear, with or without an additional provision for incidental payment or indemnity under limited circumstances, including but not limited to towing, rental, and emergency road service. A service contract may provide for the repair, replacement, or maintenance of property for damage resulting from power surges or accidental damage from handling.

(2) The marketing, sale, offering for sale, issuance, making, proposing to make, and administration of a service contract is exempt from the provisions of Title 33, except for:

- (a) chapter 1, part 3;
- (b) chapter 1, part 6, excluding 33-1-616;
- (c) chapter 1, part 7; and
- (d) chapter 18."

Renumber: subsequent sections

56. Page 98.

Following: line 15

Insert: "NEW SECTION. Section 69. Involuntary unemployment insurance. Involuntary unemployment insurance means insurance providing the insured borrower with coverage for consumer credit replacement obligations for a period or periods during which the borrower is involuntarily unemployed. Involuntary unemployment insurance must at least provide benefits for the loss of employment income caused by individual or mass layoff, a general strike, termination by an employer, a dispute involving organized labor, and a lockout."

Insert: "NEW SECTION. Section 70. Gap amount -- gap insurance. (1) As used in this section, gap amount means the difference between the amount owed by the lessee or borrower under the purchase or lease agreement in the event of total loss of the personal property prior to the expiration of the agreement by theft or physical damage and the actual cash value or portion received by the lessor or creditor from insurance proceeds or from any other person on account of the total loss or destruction of the personal property.

(2) Gap insurance means insurance covering the gap amount that is payable upon the total loss of personal property, which is the subject of a lease or a loan or another credit transaction, occasioned by the theft of or physical damage to the property."

Renumber: subsequent sections

57. Page 98, lines 21 and 23.

Strike: "67" in 2 places

Insert: "66" in both places

Strike: "69" in 2 places

Insert: "72" in both places

58. Page 99, line 4.

Strike: "subsection (2)"

Insert: "subsections (2) and (3)"

59. Page 99, line 6.

Following: "4"

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Strike: "and 71 through 73"

Insert: ",31, 35, 68, and 72 through 74"

60. Page 99.

Following: line 7

Insert: "(3) [Section 36] is effective January 1, 2000."

And, as amended, do pass. Report adopted.

HB 572, introduced bill, be amended as follows:

2/19/1999

1. Title, line 7.

Following: "MADE"

Insert: "UNLESS THE PAYMENT WAS MADE IN THE PAY PERIOD IMMEDIATELY PRECEDING OR FOLLOWING THE LEAVE"

2. Page 1, line 21.

Page 2, line 17

Page 3, line 7

Page 4, line 10

Following: "made" in 4 places

Insert: "unless the payment was made in the pay period immediately preceding or following the leave" in 4 places

And, as amended, do pass. Report adopted.

HB 641, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "LIFE SAFETY"

Insert: "FIRE PROTECTION ASSOCIATION"

2. Page 1, line 30.

Strike: "chapter"

Insert: "publication NFPA"

Strike: "of the Life Safety Code"

And, as amended, do pass. Report adopted.

HJR 32, be adopted. Report adopted.

FISH, WILDLIFE AND PARKS (Wagner, Chairman):

2/19/1999

HB 438, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Following: "BE" on line 7

Strike: remainder of line 7 through "TRIBES" on line 8

Insert: "SPENT BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS ON PROJECTS"

2. Title, line 10.

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Following: "COUNCIL"
Strike: "ACCEPT AND"
Following: "DETERMINE THE"
Strike: "EXPENDITURE OF FUNDS"
Insert: "DISTRIBUTION OF STATE-FUNDED PROJECTS"

3. Title, line 11.
Strike: "ALLOCATED TO TRIBES"

4. Title, line 12.
Strike: "EXPENDITURES"
Insert: "PROJECTS"

5. Page 2, lines 1 and 2.
Following: "money" on line 1
Strike: remainder of line 1 through "Montana" on line 2

6. Page 2, line 4.
Strike: "allocate"
Insert: "expend"

7. Page 2, lines 4 and 5.
Following: "87-1-601(1)(b)" on line 4
Strike: remainder of line 4 through "[section 2]," on line 5

8. Page 2, line 5.
Following: "Montana"
Insert: "for eligible tribal wildlife and fish management programs, as recommended by the Native American natural resources council created in [section 2]"

9. Page 2, lines 5 and 6.
Following: "Money" on line 5
Strike: "allocated to"
Following: "spent by the department pursuant to the recommendations of"

10. Page 2, line 7.
Following: "expended"
Strike: "by the tribes"

11. Page 2, line 8.
Following: "through"
Strike: "4"
Insert: "5"

12. Page 2, line 12.
Following: "comprises"
Strike: "seven"
Insert: "nine"

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Following: "members"

Strike: ", "

Insert: "as follows: (a)"

Following: "each"

Strike: "tribe"

Insert: "of the seven tribes"

13. Page 2, line 13.

Following: "Montana"

Insert: "; (b) one indigenous, nonenrolled resident of a reservation, who shall reside continuously on a reservation during the term of office on the council, to be chosen by the tribal members of the Native American natural resources council; and

(c) one member who is a representative of the department"

Following: the first "."

Insert: "(3)"

Following: "A"

Insert: "tribal"

Following: "member of"

Strike: "that"

Insert: "a"

14. Page 2, line 14.

Strike: "(3)"

Insert: "(4)"

Renumber: subsequent subsection

15. Page 2, line 17.

Following: "accepting"

Strike: "funds allocated to tribes"

Insert: "state-funded projects for tribal wildlife and fish management programs"

16. Page 2, line 18.

Following: "determining the"

Strike: "expenditure of those funds"

Insert: "distribution of projects"

17. Page 2, line 20.

Strike: "expenditures"

Insert: "projects"

Strike: "section"

Insert: "sections"

Following: "4"

Insert: "and 5"

18. Page 2, line 23.

Following: "shall"

Strike: "accept funds allocated"

Insert: "recommend projects for state funding"

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19. Page 2, line 24.

Following: "proportion of"

Strike: "funds is to be"

Insert: "projects are"

20. Page 3, line 6.

Following: "distribution"

Strike: "and expenditure of all money allocated to the council"

Insert: "of projects for which money is spent"

21. Page 3, line 8.

Following: "may not"

Strike: "allocate"

Insert: "spend"

22. Page 3, line 9.

Following: "money"

Strike: "to the council"

Insert: ", as provided in [section 1],"

23. Page 3, line 11.

Following: "may not"

Strike: "allocate any money to the council"

Insert: "spend money pursuant to [section 1]"

24. Page 3, line 13.

Following: "Money"

Strike: "allocated to the council"

Insert: "spent"

25. Page 3, line 15.

Following: "law."

Insert: "The department shall, pursuant to its authority in 87-1-703 and 87-1-709, enter into any necessary cooperative agreements with the Native American natural resources council, as the partnership representative of the individual tribes of Montana, for the purpose of carrying on tribal wildlife and fish restoration projects."

26. Page 3, line 16.

Following: "money"

Strike: "allocated to the council"

Insert: "spent pursuant to [section 1]"

29. Page 3, line 17.

Insert: "NEW SECTION. Section 5. Compliance and eligibility process. (1) All grant activities and costs of projects proposed by the Native American natural resources council must be submitted to the regional director of the United States fish and wildlife service for approval. Project documents must demonstrate compliance with all applicable federal laws and regulations. The Native American natural resources council may function as a subgrantee of the department for funding purposes. All fish and wildlife management activities conducted by the council must meet the same documentation requirements and other conditions as any other project submitted for funding under

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the federal aid program. Programs proposed for funding must conform to the eligibility process, project criteria, and compliance requirements for federal aid grants as contained in the federal aid handbook.

(2) The Native American natural resources council shall provide money as nonfederal matching funds to cover the percentage of project costs that are not reimbursible under the federal aid program.

(3) The Native American natural resources council shall employ a certified public accountant to maintain appropriate books and records related to the federal aid program and to prepare the annual accounting report required in [section 4].

(4) The Native American natural resources council shall employ a wildlife biologist to act as a compliance inspector on all tribal wildlife and fish management programs that are funded pursuant to the federal aid program."

Insert: "NEW SECTION. Section 6. Contingent voidness. If a federal court determines that the implementation of [sections 1 through 5] would cause Montana to be ineligible to participate in federal aid in wildlife and sport fish restoration programs, then [this act] is void."

Insert: "NEW SECTION. Section 7. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

27. Page 3, line 21.

Following: "through"

Strike: "4"

Insert: "5"

28. Page 3, line 23.

Following: "through"

Strike: "4"

Insert: "5"

And, as amended, do pass. Report adopted.

HB 478, introduced bill, be amended as follows:

1. Page 1, line 17.

Strike: "7,500"

Insert: "8,500"

2. Page 1, line 19.

Strike: "applicant's"

Insert: "applicants"

3. Page 1, line 20.

Strike: "50%"

Insert: "30%"

And, as amended, do pass. Report adopted.

HB 548, introduced bill, be amended as follows:

1. Title, line 5.

Following: "WILDLIFE;"

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Insert: "PROVIDING DEFINITIONS OF "REINTRODUCTION" AND "RETRANSLOCATION";"

Following: "87-5-701,"

Insert: "87-5-702,"

2. Page 1, line 13.

Following: "for introduction"

Insert: ", unless in-state stocking and rearing sources are not available,"

3. Page 1.

Following: line 20

Insert: **Section 2.** Section 87-5-702, MCA, is amended to read:

"87-5-702. Definitions. For purposes of this part, the following definitions apply:

(1) "Feral" means the appearance in a natural habitat of an animal that has escaped domestication and become wild.

(2) "Importation" means the act of bringing into the state any wildlife.

(3) "Introduction" means the release of or attempt to release, intentional or otherwise, wildlife from outside the state into natural habitats of the state.

(4) "Natural habitat" means any area in which the introduction of wildlife species may result in an uncontrolled, naturally reproducing population of that species becoming established.

(5) "Reintroduction" means the restoration of species into habitats where the species historically existed or were historically introduced.

(6) "Retranslocation" means the placement of species into habitats where the species historically existed or were historically introduced.

~~(5)(7)~~ "Transplantation" means the release of or attempt to release, intentional or otherwise, wildlife from one place within the state into natural habitats in another part of the state.

~~(6)(8)~~ "Wildlife" means any wild mammal, bird, reptile, amphibian, fish, mollusk, crustacean, or other wild animal or the egg or offspring thereof."

{Internal References to 87-5-702:

87-5-703*x 87-5-704x}"

Renumber: subsequent sections

4. Page 2, line 4.

Following: "in"

Insert: "87-5-714 and"

Following: "(2)"

Insert: "of this section"

5. Page 4, line 1.

Following: "department."

Insert: "This subsection does not apply to:

(a) introductions or transplantations of native species necessary for the restoration of species of concern;

(b) ponds and lakes in which fish are stocked by the department when the stocking is done to promote urban or family fishing if the fish do not pose a threat to native fish or to private ponds stocked with department approval if the fish do not pose a threat to native fish;

(c) turkey (Meleagris gallopavo)."

And, as amended, do pass. Report adopted.

HB 550, introduced bill, be amended as follows:

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1. Page 1, line 15.

Strike: "Seventy-five"

Insert: "Seventy"

2. Page 1, line 18.

Following: "improvements"

Insert: ", including transplantation of wild pheasants into areas where current populations are not sufficient to ensure that suitable habitat will be reoccupied"

3. Page 1, line 26.

Insert: "(3) Five percent of the amount of money specified in subsection (1) may be used by the department for expenses in administering the enhancement of upland game bird habitat."

And, as amended, do pass. Report adopted.

HB 564, do pass. Report adopted.

HB 586, do pass. Report adopted.

LOCAL GOVERNMENT (Ahner, Chairman):

2/19/1999

HB 560, introduced bill, be amended as follows:

1. Page 4, line 11.

Following: " _ "

Insert: "The commission may elect to offer to transfer the liability for and the maintenance of a highway to another agency or agencies that may in turn elect to take responsibility for the highway."

And, as amended, do pass. Report adopted.

HJR 29, be adopted. Report adopted.

STATE ADMINISTRATION (Brainard, Chairman):

2/19/1999

HB 469, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 5.

Strike: "AND" on line 4 through "OFFICEHOLDERS" on line 5

2. Title, page 1, line 6 through line 8.

Strike: "PROHIBITING" on line 6 through ";" on line 8

3. Title, page 1, line 9 through line 11.

Strike: "PROHIBITING" on line 9 through ";" on line 11

4. Page 2, line 3 through line 25.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent sections

5. Page 2, line 28.

Strike: "penalty --"

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6. Page 2, line 29.

Strike: "written"

7. Page 3, line 3 through line 4.

Strike: subsection (3) in its entirety

Insert: "(3) A campaign sign placed in violation of subsection (1) or (2) may be removed and returned to the campaign treasurer identified pursuant to 13-35-225."

8. Page 3, line 11 through line 20.

Strike: subsection (d) in its entirety

9. Page 3, line 22 through page 4, line 4.

Strike: section 5 in its entirety

Renumber: subsequent sections

10. Page 4, line 8 and line 16.

Strike: "4" in both places

Insert: "2"

11. Page 4, line 20.

Strike: "(1) [Sections 2 and 3] are"

Insert: "[Section 2] is"

12. Page 4, line 22.

Strike: "[sections 2 and 3]"

Insert: "[section 2]"

13. Page 4, line 23 through line 24.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

TAXATION (Hibbard, Chairman):

2/19/1999

HB 108, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "HOME OWNERS,"

Insert: "RESIDENTIAL AND CERTAIN COMMERCIAL PROPERTY AND"

2. Title, page 1, line 7.

Following: "THREE"

Strike: ", "

Insert: "AND"

Following: "FOUR"

Strike: the remainder of line 7 through "SCHOOLS" on line 8

3. Title, page 1, line 13.

Strike: "15-6-201,"

Following: "15-7-111,"

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Insert: "15-8-111, AND"

Strike: "AND 20-9-360,"

4. Page 1, lines 19 through 24.

Strike: section 1 in its entirety

Renumber: subsequent sections

5. Page 1, line 29.

Following: "(a)"

Insert: "except as provided in subsection (1)(f) or (1)(g),"

6. Page 1, line 30

Following: "(b)"

Insert: "except as provided in subsection (1)(f) or (1)(g),"

7. Page 2, lines 2 and 3

Strike: ", after" on line 2 through "15-6-201(1)(z)," on line 3

Insert: "that exceeds the exemption amount described in subsection (2)(d)(i)"

8. Page 2, line 12.

Following: "yards;"

Strike: "and"

9. Page 2.

Following: line 15

Insert: "(f) single-family residences and appurtenant improvements, including trailers, manufactured homes, or mobile homes; the parcel of land upon which single-family residences and appurtenant improvements are situated; and leasehold improvements; and

(g) commercial buildings, including rental multifamily dwelling units, and the parcel of land upon which they are situated."

10. Page 2, line 18.

Strike: "3.25%"

Insert: "3.575%"

11. Page 3.

Following: line 11

Insert: "(d) Property described in subsection (1)(f) is taxed at 3.575% of:

(i) 40% of the first \$300,000 or less of market value of the property; and

(ii) 100% of the market value of the property in excess of \$300,000 of market value.

(e) Property described in subsection (1)(g) is taxed at 3.575% of:

(i) 20% of the first \$200,000 or less of market value of the property; and

(ii) 100% of the market value of the property in excess of \$200,000 of market value."

12. Page 3, line 17 through page 6, line 26.

Strike: section 3 in its entirety

Renumber: subsequent sections

13. Page 9.

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Following: line 19

Insert: "Section 4. Section 15-8-111, MCA, is amended to read:

"15-8-111. Assessment -- market value standard -- exceptions. (1) All taxable property must be assessed at 100% of its market value except as otherwise provided.

(2) (a) Market value is the value at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of relevant facts.

(b) If the department uses construction cost as one approximation of market value, the department shall fully consider reduction in value caused by depreciation, whether through physical depreciation, functional obsolescence, or economic obsolescence.

(c) Except as provided in subsection (3), the market value of special mobile equipment and agricultural tools, implements, and machinery is the average wholesale value shown in national appraisal guides and manuals or the value before reconditioning and profit margin. The department shall prepare valuation schedules showing the average wholesale value when a national appraisal guide does not exist.

(3) The department may not adopt a lower or different standard of value from market value in making the official assessment and appraisal of the value of property, except:

(a) the wholesale value for agricultural implements and machinery is the average wholesale value category as shown in Guides 2000, Northwest Region Official Guide, published by the North American equipment dealers association, St. Louis, Missouri. If the guide or the average wholesale value category is unavailable, the department shall use a comparable publication or wholesale value category.

(b) for agricultural implements and machinery not listed in an official guide, the department shall prepare a supplemental manual in which the values reflect the same depreciation as those found in the official guide; and

(c) as otherwise authorized in Titles 15 and 61.

(4) For purposes of taxation, assessed value is the same as appraised value, except as otherwise provided in this section.

(5) The taxable value for all property is the percentage of market or assessed value established for each class of property.

(6) The assessed value of properties in 15-6-131 through ~~15-6-133~~ 15-6-134 and 15-6-143 is as follows:

(a) Properties in 15-6-131, under class one, are assessed at 100% of the annual net proceeds after deducting the expenses specified and allowed by 15-23-503 or, if applicable, as provided in 15-23-515, 15-23-516, 15-23-517, or 15-23-518.

(b) Properties in 15-6-132, under class two, are assessed at 100% of the annual gross proceeds.

(c) Properties in 15-6-133, under class three, are assessed at 100% of the productive capacity of the lands when valued for agricultural purposes. All lands that meet the qualifications of 15-7-202 are valued as agricultural lands for tax purposes.

(d) (i) Property described in 15-6-134(1)(f) is assessed as follows:

(A) 40% of the first \$300,000 or less of market value of the property; and

(B) 100% of the market value of the property in excess of \$300,000 of market value.

(ii) Property described in 15-6-134(1)(g) is assessed as follows:

(A) 20% of the first \$200,000 or less of market value of the property; and

(B) 100% of the market value of the property in excess of \$200,000 of market value.

(e) Properties in 15-6-143, under class ten, are assessed at 100% of the forest productivity value of the land when valued as forest land.

(7) Land and the improvements on the land are separately assessed when any of the following conditions occur:

(a) ownership of the improvements is different from ownership of the land;

(b) the taxpayer makes a written request; or

(c) the land is outside an incorporated city or town. "

Renumber: subsequent sections

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14. Page 9, line 24.

Following: "dollar amount"

Insert: "or the number of mills"

15. Page 9, line 25.

Strike: "1997"

Insert: "1998"

16. Page 10, line 1.

Strike: "construction, expansion, or remodeling of"

Insert: "property"

Following: "improvements"

Insert: "or personal property being moved into the geographic area subject to the governmental unit"

17. Page 13, line 16.

Following: "dollar amount"

Insert: "or the number of mills"

18. Page 13, line 17.

Strike: "1996"

Insert: "1998"

19. Page 14, line 10.

Strike: "If"

Insert: "Except as provided in subsection (5)(d), if"

20. Page 14, line 11.

Strike: "1996"

Insert: "1998"

Following: "year"

Insert: "by 5% or less"

21. Page 14.

Following: line 23

Insert: "(d) If a taxing unit's taxable valuation decreases by more than 5% in any year, it may levy additional mills if the voters in the taxing unit approve an increase in tax liability."

22. Page 15, line 11 through page 16, line 5.

Strike: subsection (7) in its entirety

Renumber: subsequent subsections

23. Page 17, line 2 through line 7.

Strike: section 8 in its entirety

Renumber: subsequent sections

24. Page 17, line 10.

Strike: "6"

Insert: "5"

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25. Page 17, line 11.

Strike: "11(2)"

Insert: "9(2)"

26. Page 17, line 16.

Strike: "7"

Insert: "6"

27. Page 17, line 21.

Strike: "6"

Insert: "5"

28. Page 17, line 24.

Strike: "7"

Insert: "6"

And, as amended, do pass. Report adopted.

SB 200, be amended as follows:

1. Title, line 7.

Strike: "BY" through "INVESTMENT"

2. Title, lines 9 through 11.

Following: line 8

Strike: line 9 through ";" on line 11

Insert: "PROVIDING PROGRESSIVE EXEMPTION FROM TAXATION OF CLASS EIGHT PROPERTY;"

3. Title, line 16 through 18.

Following: ";" on line 16

Strike: remainder of line 16 through "PROGRAMS;" on line 18

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

4. Title, line 20.

Strike: "15-30-121,"

Insert: "17-7-502,"

5. Title, line 21.

Following: "15-6-136,"

Insert: "15-6-138,"

6. Page 2, lines 2 through 5.

Strike: "(a)" on line 2 through "." on line 5

Renumber: subsequent subsections

7. Page 2, lines 6, 9, 14, 18, 21.

Strike: "local government"

8. Page 2, line 7.

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Strike: "(2)(c)"

Insert: "(2)(b)"

9. Page 2, line 26.

Strike: "local"

10. Page 2, line 28.

Strike: "(2)(f)"

Insert: "(2)(e)"

11. Page 2, line 29.

Strike: "local government tax"

Insert: "taxing"

12. Page 3, line 2.

Strike: "under subsection (2)(a) multiplied by four"

Insert: "by multiplying the 1998 taxable value by the 1998 mill levy"

13. Page 3, line 11.

Following: "(5)"

Insert: "(a)"

14. Page 3, line 12.

Following: "city,"

Insert: "consolidated county and city government,"

15. Page 3, line 13.

Following: the first "district,"

Insert: "community college district,"

Following: "financing district,"

Insert: "and"

Strike: ", and the state of Montana"

Following: "."

Insert: "The term includes countywide mills levied for equalization of retirement or transportation.

(b) The term does not include county or state school equalization levies provided for in 20-9-331, 20-9-333, and 20-9-360 or the 6-mill university levy. It also does not include any state levy for welfare programs provided for in 53-2-813."

16. Page 3, line 22.

Following: "the"

Insert: "taxing"

17. Page 3.

Following: line 22

Insert: "(7) The amounts necessary for the administration of this section are statutorily appropriated, as provided in 17-7-502, from the general fund to reimburse eligible taxing jurisdictions for reductions in tax rates on business personal property."

18. Page 4, line 8.

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Following: "barley facilities"

Insert: "-- class eight property"

19. Page 4, line 10.

Following: " ; "

Strike: "and"

20. Page 4, line 11.

Following: "facility"

Insert: " ; and (c) the following amount of class eight property, for each taxpayer by county, as provided in 15-6-138:

(i) \$15,000 for tax year 2000;

(ii) \$40,000 for tax year 2001;

(iii) \$100,000 for tax year 2002; and

(iv) \$500,000 for tax year 2003 "

21. Page 4, line 20 through page 10, line 21.

Strike: sections 3 through 10 in their entirety

Renumber: subsequent sections

22. Page 10, line 30.

Following: "39%"

Insert: " , and an additional 20% of the taxable value of class eight property within the local government for tax year 1999, multiplied by 39% "

23. Page 11, line 2.

Following: "39%"

Insert: " , and an additional 40% of the taxable value of class eight property within the local government for tax year 1999, multiplied by 39% "

24. Page 11, line 4.

Following: "39%"

Insert: " , and an additional 60% of the taxable value of class eight property within the local government for tax year 1999, multiplied by 39% "

Strike: "and"

25. Page 11, line 7.

Following: "39%"

Insert: " , and an additional 80% of the taxable value of class eight property within the local government for tax year 1999, multiplied by 39%; and

(e) for bonds to be issued during fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class eight property within the local government for tax year 1999, in each case of former class eight property, multiplied by 39% "

26. Page 12, line 8.

Following: "23%"

Insert: " , and an additional 20% of the taxable value of class eight property within the county for tax year 1999, multiplied by 23% "

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27. Page 12, line 10.

Following: "23%"

Insert: ", and an additional 40% of the taxable value of class eight property within the county for tax year 1999, multiplied by 23%"

28. Page 12, line 12.

Following: "23%"

Insert: ", and an additional 60% of the taxable value of class eight property within the county for tax year 1999, multiplied by 23%"

Strike: "and"

29. Page 12, line 15.

Following: "23%"

Insert: ", and an additional 80% of the taxable value of class eight property within the county for tax year 1999, multiplied by 23%; and

(g) for indebtedness to be incurred during fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class eight property within the county for tax year 1999, in each case of former class eight property, multiplied by 23%"

30. Page 13, line 6.

Following: "11.25%"

Insert: ", and an additional 20% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%"

31. Page 13, line 8.

Following: "11.25%"

Insert: ", and an additional 40% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%"

32. Page 13, line 10.

Following: "11.25%"

Insert: ", and an additional 60% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%"

Strike: "and"

33. Page 13, line 13.

Following: "11.25%"

Insert: ", and an additional 80% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%; and

(g) for general obligation bonds to be issued during fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class eight property within the county for tax year 1999, in each case of former class eight property, multiplied by 11.25%"

34. Page 14, line 9.

Following: "11.25%"

Insert: ", and an additional 20% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%"

35. Page 14, line 11.

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Following: "11.25%"

Insert: ", and an additional 40% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%"

36. Page 14, line 13.

Following: "11.25%"

Insert: ", and an additional 60% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%"

Strike: "and"

37. Page 14, line 16.

Following: "11.25%"

Insert: ", and an additional 80% of the taxable value of class eight property within the county for tax year 1999, multiplied by 11.25%; and

(f) for fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class eight property within the county for tax year 1999, in each case of former class eight property, multiplied by 11.25%"

38. Page 15, line 22.

Following: "13%"

Insert: ", and an additional 20% of the taxable value of class eight property within the county for tax year 1999, multiplied by 13%"

39. Page 15, line 24.

Following: "13%"

Insert: ", and an additional 40% of the taxable value of class eight property within the county for tax year 1999, multiplied by 13%"

40. Page 15, line 25.

Strike: "2001"

Insert: "2002"

Strike: "50%"

Insert: "75%"

41. Page 15, line 26.

Following: "13%"

Insert: ", and an additional 60% of the taxable value of class eight property within the county for tax year 1999, multiplied by 13%"

Strike: "and"

42. Page 15, line 27.

Strike: "2002"

Insert: "2003"

43. Page 15, line 29.

Following: "13%"

Insert: ", and an additional 80% of the taxable value of class eight property within the county for tax year 1999, multiplied by 13%; and

(vi) for fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class

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eight property within the county for tax year 1999, in each case of former class eight property, multiplied by 13 %"

44. Page 22, line 21.

Strike: "and"

45. Page 22, line 28.

Following: "basis"

Insert: "; (aa) all agricultural implements and equipment;

(bb) all mining machinery, fixtures, equipment, tools that are not exempt under 15-6-201(1)(r), and supplies except those included in class five;

(cc) all manufacturing machinery, fixtures, equipment, tools that are not exempt under 15-6-201(1)(r), and supplies except those included in class five;

(dd) all goods and equipment that are intended for rent or lease, except goods and equipment that are specifically included and taxed in another class;

(ee) special mobile equipment as defined in 61-1-104;

(ff) furniture, fixtures, and equipment, except that specifically included in another class, used in commercial establishments as defined in this section;

(gg) x-ray and medical and dental equipment;

(hh) citizens' band radios and mobile telephones;

(ii) radio and television broadcasting and transmitting equipment;

(jj) cable television systems;

(kk) coal and ore haulers; and

(ll) theater projectors and sound equipment"

46. Page 27, line 14 through page 30, line 11.

Strike: section 28 in its entirety

Insert: "**Section 20.** Section 17-7-502, MCA, is amended to read:

"17-7-502. (Temporary) Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 3-5-901; 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; [section 1]; [section 24]; 15-23-706; 15-30-195; 15-31-702; 15-36-324; 15-36-325; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404; 16-1-406; 16-1-411; 16-11-308; 17-3-106; 17-3-212; 17-3-222; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-709; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 20-8-107; 20-8-111; 20-26-1503; 22-3-1004; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 39-71-907; 39-71-2321; 42-2-105; 44-12-206; 44-13-102; 50-4-623; 53-6-703; 53-24-206; 67-3-205; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-1-131; 80-2-103; 80-2-222; 80-4-416; 81-5-111; 82-11-161; 85-20-402; 87-1-513; 90-3-301; 90-4-215; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments.

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(In subsection (3): pursuant to sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for supplemental benefit; pursuant to sec. 7(2), Ch. 29, L. 1995, the inclusion of 15-30-195 terminates July 1, 2001; pursuant to sec. 5, Ch. 461, L. 1997, the inclusion of 77-1-131 terminates October 1, 2003; and pursuant to secs. 13, 16(1), Ch. 549, L. 1997, the inclusion of 90-3-301 terminates July 1, 1999.)

17-7-502. (Effective July 1, 2008) Statutory appropriations -- definition -- requisites for validity. (1)

A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 3-5-901; 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; [section 1]; [section 2]; 15-23-706; 15-30-195; 15-31-702; 15-36-324; 15-36-325; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404; [16-1-406;] 16-1-411; 16-11-308; 17-3-106; 17-3-212; 17-3-222; 17-5-404; 17-5-804; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-709; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-205; 19-19-305; 19-19-506; 20-8-107; 20-9-361; 20-26-1503; 22-3-1004; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 32-1-537; 37-43-204; 37-51-501; 39-71-503; 39-71-907; 39-71-2321; 42-2-105; 44-12-206; 44-13-102; 50-4-623; 50-5-232; 50-40-206; 53-6-150; 53-6-703; 53-24-206; 60-2-220; 67-3-205; 75-1-1101; 75-5-1108; 75-6-214; 75-5-1108; 75-6-214; 75-11-313; 77-1-505; 80-2-103; 80-2-222; 80-4-416; 81-5-111; 82-11-136; 82-11-161; 85-1-220; 85-20-402; 87-1-513; 90-4-215; 90-6-331; 90-7-220; 90-7-221; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for supplemental benefit; and pursuant to sec. 68(2), Ch. 422, L. 1997, this version becomes effective July 1, 2008.)"

47. Page 30, line 26.

Strike: "1999"

Insert: "2000"

48. Page 30, line 27.

Following: "45%"

Insert: ", and an additional 20% of the taxable value of class eight property within the district for tax year 1999, multiplied by 45%"

49. Page 30, line 28.

Strike: "2000"

Insert: "2001"

50. Page 30, line 29.

Following: "45%"

Insert: ", and an additional 40% of the taxable value of class eight property within the district for tax year 1999, multiplied by 45%"

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51. Page 30, line 30.

Strike: "2001"

Insert: "2002"

52. Page 31, line 1.

Following: "45%"

Insert: ", and an additional 60% of the taxable value of class eight property within the district for tax year 1999, multiplied by 45%"

Strike: "and"

53. Page 31, line 2.

Strike: "2002"

Insert: "2003"

54. Page 31, line 4.

Following: "45%"

Insert: ", and an additional 80% of the taxable value of class eight property within the district for tax year 1999, multiplied by 45%; and

(vi) for bonds to be issued during fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class eight property within the district for tax year 1999, in each case of former class eight property, multiplied by 45%"

55. Page 31, line 16.

Strike: "1999"

Insert: "2000"

56. Page 31, line 17.

Following: "90%"

Insert: ", and an additional 20% of the taxable value of class eight property within the district for tax year 1999, multiplied by 90%"

57. Page 31, line 18.

Strike: "2000"

Insert: "2001"

58. Page 31, line 19.

Following: "90%"

Insert: ", and an additional 40% of the taxable value of class eight property within the district for tax year 1999, multiplied by 90%"

59. Page 31, line 20.

Strike: "2001"

Insert: "2002"

60. Page 31, line 21.

Following: "90%"

Insert: ", and an additional 60% of the taxable value of class eight property within the district for tax year 1999, multiplied by 90%"

Strike: "and"

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61. Page 31, line 22.

Strike: "2002"

Insert: "2003"

62. Page 31, line 24.

Following: "90%"

Insert: ", and an additional 80% of the taxable value of class eight property within the district for tax year 1999, multiplied by 90%; and

(vi) for bonds to be issued during fiscal year 2004 and succeeding fiscal years, an additional 100% of the taxable value of former class eight property within the district for tax year 1999, in each case of former class eight property, multiplied by 90%"

63. Page 34, lines 4 through 15.

Strike: section 32 in its entirety

Insert: "NEW SECTION. Section 24. Reimbursement for class eight exemption. (1) Except as otherwise provided in this section, a local government taxing jurisdiction must be reimbursed for losses of revenue due the progressive tax exemption granted by this section.

(2) On or before June 1 of each tax year, the department of revenue shall determine a reimbursement amount associated with the loss in revenue caused by the exemption of class eight property and provide that information to each county treasurer. The department of revenue shall determine the reimbursement amount for each local government taxing jurisdiction that levied mills on the taxable value of property described in 15-6-138 in the corresponding tax year. However, the reimbursement does not apply to property described in 15-6-138 that has a reduced tax rate under 15-24-1402.

(3) (a) The department shall calculate the reimbursement amount for each year by subtracting the estimated class eight revenue collections for the corresponding tax year from the total class eight revenue collected by a local government taxing jurisdiction for the 1999 tax year.

(b) The estimated class eight revenue collections of a local government taxing jurisdiction for any given tax year are calculated as follows:

(i) For each taxpayer who reported class eight property in the local government taxing jurisdiction for the 1999 tax year, subtract the taxpayer's progressive exemption applicable to the corresponding tax year from the total market value of class eight property reported in the local government taxing jurisdiction during the 1999 tax year.

(ii) Multiply the amount determined in subsection (3)(b)(i) by the tax rate of 6% and the mills levied by the local government taxing jurisdiction for the 1999 tax year.

(iii) If a taxpayer owns or possesses class eight property in more than one local government taxing jurisdiction that imposes similar mills, for instance in two elementary school districts, the taxpayer's exemption must be allocated among the similar taxing jurisdictions in proportion to the market value of the property present in each taxing jurisdiction when determining the amount in subsection (3)(b)(i).

(4) (a) For purposes of this section, "local government taxing jurisdiction" has the same meaning as provided in 15-1-112, but does not include tax increment financing districts.

(b) Tax increment financing districts may not receive a reimbursement under this section.

(c) The county treasurer shall use any reimbursement funds received under this section to reimburse each local government taxing jurisdiction in the amount determined by the department under subsection (2). The reimbursement must be distributed to funds within local government taxing jurisdictions in the same manner as taxes on property described in 15-6-138 are distributed.

(d) Each local government taxing jurisdiction receiving reimbursements shall consider the amount of reimbursement that will be received and lower the mill levy otherwise necessary to fund the budget by the amount that would otherwise have to be raised by the mill levy.

(5) A local government taxing jurisdiction that ceases to exist after December 31, 1999, will no longer be considered for revenue loss or reimbursement purposes. A local government taxing jurisdiction that is created after

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January 1, 2000, will not be considered for revenue loss or reimbursement purposes. If a local government taxing jurisdiction that existed prior to January 2000 is split between two or more taxing jurisdictions or is annexed to or is consolidated with another taxing jurisdiction, the department shall determine how much of the revenue loss and reimbursement is attributed to the new jurisdictions.

(6) The reimbursement in this section is statutorily appropriated as provided in 17-7-502."

64. Page 34, line 17.

Following: "Repealer."

Insert: "(1)"

65. Page 34, line 19.

Insert: "(2) Section 15-6-138, MCA, is repealed."

66. Page 34, line 20.

Strike: "instructions"

Insert: "instruction"

Strike: "(1)"

Strike: "Section"

Insert: "Sections"

Following: "1"

Insert: "and 24"

Strike: "is"

Insert: "are"

67. Page 34, line 22.

Strike: "section"

Insert: "sections"

Following: "1"

Insert: "and 24"

68. Page 34, lines 23 through 30.

Strike: subsections (2) through (4) in their entirety

69. Page 35, line 11.

Strike: ", 4, 11"

70. Page 35, line 12.

Strike: "17" through "36"

Insert: "9, 11, 20, 21, 26 through 28, and 30"

71. Page 35, line 13.

Strike: "[Sections 6 5 through ~~11~~ 10]"

Insert: "[Sections 2(1)(c) and 24]"

72. Page 35, line 14.

Strike: "[Sections" through "33]"

Insert: "[Sections 2(1)(a), (1)(b), (2), and (3), 10, 12(1)(z), 13 through 19, 22, 23, and 25(1)]"

73. Page 35, line 16.

Insert: "(4) [Sections 12(1)(aa) through (1)(ll) and 25(2)] are effective January 1, 2004."

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74. Page 35, line 17.

Strike: "(1)"

Strike: "19"

Insert: "11"

75. Page 35, lines 19 through 24.

Strike: subsections (2) through (5) in their entirety

And, as amended, be concurred in. Report adopted.

SB 260, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/18/1999

SB 153, introduced by Halligan

SB 224, introduced by Keating

SB 241, introduced by Doherty

SB 251, introduced by Halligan

SB 314, introduced by Grimes

SB 362, introduced by Keating

House bill concurred in and returned to the House:

2/18/1999

HB 3, introduced by Zook

MESSAGES FROM THE GOVERNOR

February 17, 1999

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed **House Bill 29** sponsored by Representative Ohs, **House Bill 30** sponsored by Representative Peck, **House Bill 35** sponsored by Representative Ahner, **House Bill 51** sponsored by Representative Harper, and **House Bill 80** sponsored by Representative Cobb on February 17, 1999.

Sincerely,

MARC RACICOT
Governor

February 18, 1999

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The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed **House Bill 254** sponsored by Representative Somerville and **House Bill 284** sponsored by Representative Story et al. on February 18, 1999.

Sincerely,

MARC RACICOT
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 644, introduced by L. Taylor, M. Cole, referred to Appropriations.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 130 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: Adams, Jore.

Total 2

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 314 passed as follows:

Ayes: Adams, Ahner, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.
Total 85

Noes: J. Andersen, Barnett, Brown, E. Clark, Curtiss, Haines, Hanson, Hedges, Kasten, Kitzenberg, Pavlovich, Rose, Smith, Taylor, Witt.
Total 15

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 326 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Hagener, Peck.
Total 2

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Rose.
Total 1

HB 444 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E.

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Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Adams, E. Bergsagel, P. Bergsagel, Jore, Kasten, Orr, Rehbein.

Total 7

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Brainard.

Total 1

HB 458 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Jore, Smith.

Total 2

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Witt.

Total 1

HB 482 passed as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan,

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Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Jore, Molnar, Orr, Rehbein, Vick.

Total 10

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 485 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Gillan, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 71

Noes: Barnhart, Buzzas, P. Clark, Dell, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Juneau, Lenhart, Mangan, Menahan, Peck, Raney, Ryan, Schmidt, Smith, Swanson, Williams, Wyatt.

Total 27

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Adams, S. Anderson.

Total 2

HB 486 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Fisher, Fuchs, Gallus, Grinde, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Kasten, Kitzenberg, Masolo, McCann, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tuss, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 55

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Noes: Adams, Barnhart, Beck, P. Bergsagel, Bookout-Reinicke, Buzzas, P. Clark, Davies, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Johnson, Jore, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Molnar, Orr, Peck, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Vick, Wagner, Williams, Wyatt.

Total 45

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 487 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Fuchs, Gallus, Gillan, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 66

Noes: Barnhart, P. Bergsagel, Bookout-Reinicke, P. Clark, Davies, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Golie, Gutsche, Hagener, Harper, Hurdle, Jore, Krenzler, Lawson, Lenhart, Lindeen, Mangan, McCulloch, Molnar, Orr, Peck, Raney, Smith, Vick, Wagner, Wyatt.

Total 31

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: Adams, Fisher, Harrington.

Total 3

HB 488 passed as follows:

Ayes: Adams, J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Ewer, Fisher, Fuchs, Gallus, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hibbard, Hurdle, Jackson, Jore, Juneau, Kitzenberg, Lawson, Lenhart, Mangan, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Sliter, Somerville, Squires, Story, Stovall, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Wyatt, Mr. Speaker.

Total 69

Noes: Ahner, S. Anderson, Barnett, Buzzas, Dell, Erickson, Facey, Galvin-Halcro, Gillan, Hagener, Hedges, Holden, Johnson, Kasten, Krenzler, Lindeen, Masolo, Matthews, McCann, Ohs, Rehbein, Rose, Smith, Soft,

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Swanson, Tash, Taylor, Tuss, Williams, Younkin, Zook.
Total 31

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 528 passed as follows:

Ayes: J. Andersen, S. Anderson, Barnhart, Beck, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 74

Noes: Adams, Ahner, Barnett, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, R. Clark, Davies, Hanson, Jackson, Jore, Kasten, Lawson, Masolo, McKenney, Mood, Orr, Peck, Rehbein, Shockley, Sliter, Story, Vick, Wagner, Walters.
Total 25

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Fisher.
Total 1

HB 533 passed as follows:

Ayes: S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Holden, Hurdle, Jackson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Molnar, Mood, Ohs, Pavlovich, Quilici, Raney, Ryan, Schmidt, Simon, Sliter, Soft, Somerville, Squires, Swanson, Tash, Thomas, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.
Total 69

Noes: Adams, Ahner, J. Andersen, E. Bergsagel, P. Bergsagel, Brown, Davies, Hanson, Hibbard, Johnson, Jore, Kasten, Lawson, Masolo, McCann, McGee, McKenney, Noennig, Orr, Peck, Rehbein, Rose, Shockley, Smith, Story, Stovall, Taylor, Trexler, Vick, Wagner, Zook.
Total 31

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Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 534 passed as follows:

Ayes: Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Swanson, Tash, Thomas, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 76

Noes: Adams, Ahner, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Davies, Hanson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Orr, Rehbein, Shockley, Story, Stovall, Taylor, Trexler, Vick, Walters.
Total 23

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: E. Clark.
Total 1

HB 539 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Ewer, Fisher, Fuchs, Gallus, Gillan, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Pavlovich, Quilici, Raney, Rose, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Younkin, Zook, Mr. Speaker.
Total 72

Noes: Adams, Barnhart, Buzzas, Curtiss, Davies, Erickson, Facey, Galvin-Halcro, Golie, Gutsche, Harper, Hurdle, Johnson, Jore, Kasten, Mangan, McCulloch, Noennig, Orr, Peck, Rehbein, Ryan, Smith, Story, Taylor, Wyatt.
Total 26

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

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Absent or not voting: E. Clark, Witt.
Total 2

HB 551 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 94

Noes: Adams, Davies, Jore, Orr, Rehbein, Vick.
Total 6

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 557 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Brainard, McGee.
Total 2

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Hedges.
Total 1

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HB 583 passed as follows:

Ayes: Ahner, J. Andersen, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Juneau, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 77

Noes: Adams, S. Anderson, Barnett, P. Bergsagel, Bitney, Brainard, Brown, Curtiss, Fisher, Hanson, Holden, Johnson, Jore, Kasten, Krenzler, Lawson, McCann, Orr, Shockley, Smith, Vick, Wagner, Walters.

Total 23

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 584 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Jore, Orr, Story.

Total 3

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Lenhart.

Total 1

HJ 22 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney,

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Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: Jore, Molnar, Orr, Squires, Vick.
Total 5

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Grinde moved that the house stand at recess for the purpose of party caucuses until 10:15 a.m.
Motion carried.

House reconvened at 10:15 a.m.

Roll Call. All members present except Representatives Dale and Molnar. Quorum present.

Speaker Mercer introduced the pages of the week:

Kim Kuntz, Great Falls
Andrew Gran, Polson
Mary Keck, Shelby
Carly Meznarich, Cut Bank
Katie Newell, Missoula
Grace Peterson, Whitefish
Casie Sigouin, Helena
Karla Steppler, Lambert
Nick McKenney, Great Falls

After being introduced by Speaker Mercer, the Rocky Mountain Preschool performed a song under the direction of Janette Thomas, Shirley Williams, and Danny Lewis. In honor of Random Acts of Kindness Week the children handed out treats to the legislators.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Pavlovich in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 443 - Representative Bookout-Reinicke moved **HB 443** do pass. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Beck, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Mood, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Smith, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook.
Total 63

Noes: Adams, Ahner, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Davies, Fuchs, Grinde, Hanson, Johnson, Jore, Kasten, Lawson, Masolo, McCann, McGee, McKenney, Noennig, Orr, Rehbein, Rose, Simon, Sliter, Soft, Story, Taylor, Vick, Wagner.
Total 31

Excused: Dale, Molnar.
Total 2

Absent or not voting: Fisher, Golie, Jackson, Mr. Speaker.
Total 4

HB 598 - Representative Quilici moved **HB 598** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: S. Anderson, E. Clark, Mood, Ohs.
Total 4

HB 567 - Representative Noennig moved **HB 567** do pass. Motion carried as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: E. Bergsagel, Cobb, Curtiss, Vick.

Total 4

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Fuchs, Hibbard.

Total 2

HB 617 - Representative Ohs moved **HB 617** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Galvin-Halcro, Hurdle, Smith.

Total 3

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnett, Williams.

Total 2

HB 188 - Representative Tuss moved **HB 188** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines,

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Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, P. Bergsagel, Jore, McGee, Orr, Vick, Wagner.

Total 7

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 432 - Representative Tuss moved **HB 432** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Adams, E. Bergsagel, P. Bergsagel, Davies, Jore, Kasten, McGee, Orr, Rehbein, Story, Vick, Wagner.

Total 12

Voted Absentee: Dale, Aye.

Excused: Molnar.

Total 1

Absent or not voting: None.

Total 0

HB 342 - Representative Raney moved **HB 342** do pass. Motion carried as follows:

Ayes: Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 85

Noes: Adams, Ahner, P. Bergsagel, Brown, Grinde, Haines, Hanson, Jackson, Jore, McGee, Sliter, Taylor, Vick, Wagner.

Total 14

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: R. Clark.

Total 1

HB 431 - Representative Grinde moved consideration of **HB 431** be placed at the bottom of the second reading board. Motion carried.

HB 468 - Representative Grinde moved consideration of **HB 468** be placed below **HB 115** on the second reading board. Motion carried.

HB 490 - Representative Anderson moved **HB 490** do pass. Motion carried as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Fisher, Fuchs, Gallus, Gillan, Golie, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Jackson, Juneau, Kasten, Kitzenberg, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Rose, Ryan, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 72

Noes: P. Bergsagel, P. Clark, Cobb, Davies, Ewer, Facey, Galvin-Halcro, Grinde, Gutsche, Holden, Hurdle, Johnson, Jore, Krenzler, Lawson, McCulloch, Orr, Peck, Raney, Rehbein, Schmidt, Shockley, Sliter, Story, Vick, Wyatt.

Total 26

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Ahner, Bookout-Reinicke.

Total 2

HB 580 - Representative Schmidt moved **HB 580** do pass. Motion carried as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg,

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Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 93

Noes: P. Bergsagel, Jore, McGee, Orr, Tuss, Zook.

Total 6

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Ahner.

Total 1

HB 476 - Representative Johnson moved **HB 476** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, P. Bergsagel, Jore, Orr, Peck, Rehbein, Vick, Wagner, Williams.

Total 9

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: McCann.

Total 1

HJR 11 - Representative Curtiss moved **HJR 11** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Ewer, Facey, Fisher, Fuchs, Gallus, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

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Total 84

Noes: Buzzas, Eggers, Erickson, Galvin-Halcro, Gillan, Hagener, Hurdle, Mangan, Molnar, Peck, Ryan, Schmidt, Smith, Tropila, Tuss, Wyatt.

Total 16

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 28 - Representative Grinde moved consideration of **HJR 28** be passed for the day. Motion carried.

HB 115 - Representative McGee moved **HB 115** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 468 - Representative Brainard moved **HB 468** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor,

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Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Jore, Molnar.
Total 2

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.
Total 0

Absent or not voting: Quilici.
Total 1

HB 501 - Representative Grinde moved consideration of **HB 501** be placed below **HB 578** on the second reading board. Motion carried.

HB 429 - Representative Shockley moved **HB 429** do pass.

HB 429 - Representative Shockley moved **HB 429**, second reading copy, be amended as follows :

1. Title, page 1, line 6.

Strike: "NONCONSUMPTIVE."

2. Page 1, line 27.

Following: "76HH"

Insert: "."

3. Page 1, line 28 through line 30.

Strike: subsection (D) in its entirety

4. Page 2, line 5.

Strike: "A NONCONSUMPTIVE USE OR FOR"

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Curtiss, Davies, Eggers, Facey, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Jackson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Matthews, McCann, McCulloch, McGee, McKenney, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 58

Noes: Adams, Barnett, Barnhart, Brown, Buzzas, P. Clark, Dell, Erickson, Ewer, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Holden, Hurdle, Johnson, Jore, Krenzler, Mangan, Masolo, Orr, Rehbein, Rose, Schmidt, Story, Swanson, Thomas, Tropila, Tuss, Williams, Wyatt.

Total 34

Excused: Dale, Molnar.

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Total 2

Absent or not voting: Cobb, Gallus, Harrington, Menahan, Peck, Squires.

Total 6

Motion that **HB 429**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 96

Noes: Jore, Rehbein.

Total 2

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Hurdle, Mr. Speaker.

Total 2

HB 244 - Representative Facey moved **HB 244** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, McKenney, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook.

Total 82

Noes: Adams, P. Bergsagel, Brown, Holden, Jore, Masolo, McCann, Molnar, Mood, Orr, Smith, Vick, Wagner, Walters.

Total 14

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: Gallus, Krenzler, Menahan, Mr. Speaker.

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Total 4

HB 608 - Representative Somerville moved **HB 608** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Dale, Dell, Eggers, Ewer, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 72

Noes: Adams, E. Bergsagel, Brainard, R. Clark, Curtiss, Davies, Erickson, Facey, Fisher, Grinde, Holden, Jackson, Jore, Kasten, Lawson, McCann, McGee, Orr, Rehbein, Story, Stovall, Vick, Wagner, Walters, Zook.

Total 25

Voted Absentee: Dale, Aye.

Excused: Molnar.

Total 1

Absent or not voting: Barnhart, Cobb.

Total 2

HB 504 - Representative Ohs moved **HB 504** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Gillan, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 61

Noes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Peck, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 39

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Tropila assumed the chair.

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HB 399 - Representative Guggenheim moved **HB 399** do pass.

HB 399 - Representative Guggenheim moved **HB 399**, second reading copy, be amended as follows :

1. Title, lines 6 and 7.

Strike: "PROVIDING" on line 6 through "BOARD:" on line 7

2. Page 2, line 24.

Following: "PHYSICIAN"

Insert: "or other health care provider"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Jackson, Jore, Thomas.

Total 3

Excused: Dale, Molnar.

Total 2

Absent or not voting: Bitney, Fuchs, Tuss.

Total 3

Motion that **HB 399**, as amended, do pass carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 67

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Bitney, R. Clark, Davies, Fisher, Fuchs, Grinde, Hanson, Holden, Jackson, Jore, McGee, McKenney, Molnar, Mood, Orr, Rehbein, Simon, Sliter, Story, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt.

Total 30

Voted Absentee: Molnar, No.

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Excused: Dale.

Total 1

Absent or not voting: E. Clark, Cobb.

Total 2

Representative Pavlovich reassumed the chair.

HB 494 - Representative Squires moved **HB 494** do pass. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, R. Clark, Davies, Jore, Kasten, Lawson, McGee, McKenney, Molnar, Orr, Rehbein, Somerville, Story, Taylor, Vick, Wagner, Walters.

Total 20

Voted Absentee: Molnar, No.

Excused: Dale.

Total 1

Absent or not voting: Younkin.

Total 1

HB 578 - Representative Anderson moved **HB 578** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Adams, Galvin-Halcro, Jore, McCulloch, Walters, Wyatt.

Total 6

Voted Absentee: Molnar, Aye.

Excused: Dale.

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Total 1

Absent or not voting: Dell.

Total 1

HB 501 - Representative Ohs moved **HB 501** do pass.

HB 501 - Representative Ohs moved **HB 501**, second reading copy, be amended as follows :

1. Page 9, line 21.

Strike: "and"

Insert: ", "

Following: "welfare"

Insert: "effect on public health, safety, and welfare and the agency's or program's"

2. Page 10, line 22.

Following: "welfare"

Strike: "its"

Insert: "public health, safety, and welfare and the agency's or program's"

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, Jore, Orr, Rehbein, Vick.

Total 5

Excused: Dale, Molnar.

Total 2

Absent or not voting: Fuchs, Grinde, Sliter.

Total 3

HB 501 - Representative Ewer moved **HB 501**, second reading copy, be further amended as follows :

1. Page 3, lines 27 through 30.

Strike: subsection (f) in its entirety

2. Page 8, lines 28 through 30.

Following: "managers," on line 28

Insert: "and"

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Following: "large" on line 29

Strike: remainder of line 29 through "program" on line 30

3. Page 8, line 30.

Following: "·."

Insert: "and"

4. Page 9, lines 1 through 9.

Strike: subsection (8) in its entirety

Renumber: subsequent subsection

5. Page 9, line 24.

Following: "·."

Insert: "and"

6. Page 9, lines 25 through 28.

Strike: "·." on line 25 through "·." on line 28

Insert: "·."

Amendment failed as follows:

Ayes: Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 42

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 56

Excused: Dale, Molnar.

Total 2

Absent or not voting: None.

Total 0

HB 501 - Representative Swanson moved **HB 501**, second reading copy, be further amended as follows :

1. Page 4, line 21.

Following: line 20

Insert: "(a) tourism promotion program provided for in 15-65-121;"

Renumber: subsequent subsections

2. Page 7, line 20.

Strike: line 20 in its entirety

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Renumber: subsequent subsections

HB 501 - Representative Swanson moved the amendment be divided. Thereupon, the amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Barnett, R. Clark, Grinde, McKenney, Vick, Witt.

Total 6

Excused: Dale, Molnar.

Total 2

Absent or not voting: Bitney, Orr.

Total 2

Motion that **HB 501**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Guggenheim, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 69

Noes: Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Mangan, Matthews, McCulloch, Menahan, Peck, Ryan, Schmidt, Smith, Squires, Tuss, Williams, Wyatt.

Total 31

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 625 - Representative Bergsagel moved **HB 625** do pass.

HB 625 - Representative Mangan moved **HB 625**, second reading copy, be amended as follows:

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1. Page 2, line 28.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

2. Page 3, line 2.

Following: "family;"

Insert: "and"

3. Page 3, line 3 through line 4.

Strike: subsection (6) in its entirety

Renumber: subsequent subsections

4. Page 3, line 5.

Strike: " ; "

Insert: " . "

5. Page 3, line 6 through line 9.

Strike: subsections (8) and (9) in their entirety

Amendment failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 39

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 58

Excused: Dale, Molnar.

Total 2

Absent or not voting: Menahan.

Total 1

HB 625 - Representative Mangan moved **HB 625**, second reading copy, be amended as follows :

1. Page 3, line 26.

Following: "section 4"

Insert: "if appropriate data is available"

Amendment passed as follows:

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Ayes: Barnhart, Beck, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hurdle, Jackson, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Smith, Squires, Stovall, Swanson, Thomas, Tropila, Tuss, Williams, Wyatt, Zook, Mr. Speaker.
Total 57

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, R. Clark, Curtiss, Davies, Fuchs, Grinde, Hanson, Hedges, Hibbard, Holden, Johnson, Jore, Kasten, Kitzenberg, McGee, McKenney, Mood, Ohs, Orr, Rehbein, Simon, Sliter, Soft, Somerville, Story, Tash, Taylor, Trexler, Vick, Wagner, Walters, Witt, Younkin.
Total 41

Excused: Dale, Molnar.
Total 2

Absent or not voting: None.
Total 0

Motion that **HB 625**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Gillan, Grinde, Haines, Hanson, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, McCann, McGee, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 64

Noes: Barnhart, Beck, Buzzas, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Mangan, Matthews, McCulloch, McKenney, Menahan, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.
Total 35

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Hedges.
Total 1

HB 59 - Representative Mood moved **HB 59** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar,

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Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Ewer, Gallus, Harrington, Hurdle, Tuss.

Total 5

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Buzzas.

Total 1

HB 345 - Representative Raney moved **HB 345** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.

Total 92

Noes: Adams, Barnett, Fisher, Hanson, Jore, Orr.

Total 6

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Ohs, Mr. Speaker.

Total 2

HB 566 - Representative Brainard moved **HB 566** do pass.

HB 566 - Representative Clark moved **HB 566**, second reading copy, be amended as follows :

1. Title, line 8.

Following: " : "

Insert: "RESERVING TO THE STATE THE GOVERNMENTAL RIGHT TO SUE FIREARMS AND AMMUNITION MANUFACTURERS, TRADE ASSOCIATIONS, AND DEALERS TO THE STATE IN CERTAIN TYPES OF CASES;"

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2. Page 2, line 23

Insert: "NEW SECTION. **Section 2. Governmental right to sue firearms or ammunition manufacturer, trade association, or dealer in tort or for abatement or injunctive relief.** The governmental right to bring suit against a firearms or ammunition manufacturer, trade association, or dealer for abatement, injunctive relief, or tort damages resulting from or relating to the design, manufacture, marketing, or sale of firearms or ammunition sold to the public is reserved exclusively to the state and may not be exercised by a local governmental unit. The state may sue under this section on its own behalf or on behalf of a local governmental unit, or both."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Adams, Ahner, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Davies, Fisher, Fuchs, Gillan, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Johnson, Jore, Kasten, Kitzenberg, Lawson, McGee, McKenney, Mood, Ohs, Orr, Pavlovich, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Thomas, Trexler, Vick, Wagner, Walters, Younkin, Zook, Mr. Speaker.

Total 54

Noes: J. Andersen, Barnhart, Buzzas, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Jackson, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, Menahan, Noennig, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Taylor, Tropila, Tuss, Williams, Witt, Wyatt.

Total 42

Excused: Dale, Molnar.

Total 2

Absent or not voting: McCulloch, Rehbein.

Total 2

Motion that **HB 566**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 74

Noes: Barnhart, Buzzas, Dell, Erickson, Ewer, Galvin-Halcro, Gutsche, Harper, Harrington, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Mangan, McCann, Noennig, Peck, Raney, Smith, Soft, Tropila, Tuss, Williams, Wyatt.

Total 25

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

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Total 0

Absent or not voting: Swanson.

Total 1

HB 577 - Representative Story moved **HB 577** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 87

Noes: Barnhart, P. Bergsagel, Davies, Jore, Kasten, Krenzler, McGee, Molnar, Orr, Peck, Rehbein, Vick, Wagner.
Total 13

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 499 - Representative Harper moved **HB 499** do pass. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Mr. Speaker.
Total 72

Noes: Adams, Barnett, P. Bergsagel, Davies, Golie, Grinde, Hanson, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Lenhart, Molnar, Orr, Peck, Rehbein, Sliter, Smith, Story, Vick, Wagner, Walters, Zook.
Total 25

Voted Absentee: Molnar, No.

Excused: Dale.

Total 1

Absent or not voting: Ahner, Bitney.

Total 2

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HB 620 - Representative Tuss moved **HB 620** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dell, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, aney, ose, yan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 77

Noes: Adams, Barnhart, P. Bergsagel, Davies, Eggers, Ewer, Hurdle, Jackson, Jore, Krenzler, Lindeen, McGee, Molnar, Orr, Rehbein, Story, Tash, Vick, Wagner, Williams.

Total 20

Voted Absentee: Molnar, No.

Excused: Dale.

Total 1

Absent or not voting: Cobb, Gutsche.

Total 2

HJR 5 - Representative Jore moved **HJR 5** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Facey, Fisher, Fuchs, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, Masolo, McCulloch, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 63

Noes: Barnhart, Buzzas, Dell, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Lenhart, Mangan, Matthews, McCann, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Soft, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 36

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Krenzler.

Total 1

HJR 10 - Representative Curtiss moved **HJR 10** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke,

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Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Haines, Hanson, Hedges, Holden, Jackson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 52

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 46

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Grinde, Sliter.

Total 2

HJR 19 - Representative Curtiss moved **HJR 19** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Gillan, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Jackson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 66

Noes: Barnhart, Buzzas, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Krenzler, Lenhart, Lindeen, Mangan, McCulloch, Menahan, Peck, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 33

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Holden.

Total 1

HJR 26 - Representative Bitney moved **HJR 26** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Gillan, Golie, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood,

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Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Shockley, Sliter, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 74

Noes: Barnhart, Buzzas, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Juneau, Lindeen, Mangan, McCulloch, Menahan, Raney, Ryan, Schmidt, Smith, Swanson, Williams, Wyatt.
Total 25

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Simon.
Total 1

HB 363 - Representative Wyatt moved **HB 363** do pass. Motion failed as follows:

Ayes: Barnett, Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.
Total 47

Noes: Adams, Ahner, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Jackson, Jore, Kasten, Lawson, Masolo, Matthews, McGee, McKenney, Molnar, Mood, Ohs, Orr, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 52

Voted Absentee: Molnar, No.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

HB 431 - Representative Mercer moved **HB 431** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt,

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Younkin, Zook, Mr. Speaker.
Total 91

Noes: Adams, E. Bergsagel, P. Bergsagel, Jore, Kasten, Molnar, Rehbein.
Total 7

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.
Total 0

Absent or not voting: Vick, Wyatt.
Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Grinde moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 77

Noes: P. Clark, Erickson, Ewer, Facey, Galvin-Halcro, Gutsche, Hagener, Harper, Mangan, Peck, Raney, Rehbein, Sliter, Tuss, Williams, Wyatt.
Total 16

Excused: Dale, Molnar.
Total 2

Absent or not voting: Barnhart, Eggers, Harrington, Lenhart, Pavlovich.
Total 5

MOTIONS

Representative Grinde moved that **HB 431**, **HB 490**, and **HB 608** be rereferred to the Committee on Appropriations. Motion carried.

Representative Simon moved on **HB 639** and **HB 640** that he be removed as the chief sponsor and Representative Mangan be added. Motion carried.

Representative Golie requested on **HB 499**, 2nd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Erickson requested on **HB 608**, 2nd reading today, that his vote be shown as no. There being no objections, so ordered.

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Representative Matthews requested on **HB 482**, 3rd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Hibbard requested on **HB 486**, 3rd reading today, that his vote be shown as yes and that on **HB 488**, 3rd reading today, his vote be changed from yes to no. There being no objections, so ordered. (Refer to motion on Legislative Day 42 that objected to the change, thus the vote shown on Legislative Day 41 reflects the final vote.)

Representative Davies requested on **HB 499**, 2nd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Thomas requested on **HB 566**, 2nd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Gillan moved that the House reconsider its action on **HB 563**. Motion carried as follows:

Ayes: Beck, P. Bergsagel, Bookout-Reinicke, Brown, E. Clark, P. Clark, Cobb, Dell, Ewer, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Hagener, Haines, Harrington, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Story, Stovall, Swanson, Tropila, Vick, Wyatt, Younkin.

Total 50

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, Bitney, Brainard, Buzzas, R. Clark, Curtiss, Davies, Eggers, Erickson, Facey, Fisher, Grinde, Gutsche, Hanson, Harper, Hedges, Hibbard, Holden, Kitzenberg, McGee, McKenney, Menahan, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Squires, Tash, Taylor, Thomas, Trexler, Tuss, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 46

Excused: Dale, Molnar.

Total 2

Absent or not voting: McCulloch, Williams.

Total 2

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 8:00 a.m., Saturday, February 20, 1999. Motion carried.

House adjourned at 4:40 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

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Helena, Montana
February 20, 1999

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by State Area Command Chaplain, National Guard Colonel Bob Baker. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Dale and Molnar. Quorum present.

Speaker Mercer introduced the honorary pages of the week:

Tara Pelletier, Helena
Nicholas Crowley, Helena
Marcus Geer, Missoula
Brian Geer, Missoula
Ryne Dougherty, Missoula
Paul Stergios, Missoula
Kari Mowbray, Polson
Matt MacDonald, Great Falls

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/20/1999

Correctly printed: **HB 92, HB 100, HB 108, HB 433, HB 438, HB 469, HB 478, HB 536, HB 537, HB 538, HB 548, HB 550, HB 560, HB 563, HB 564, HB 572, HB 586, HB 641, HJR 29, HJR 32, SB 260.**

Correctly engrossed: **HB 59, HB 115, HB 188, HB 244, HB 342, HB 345, HB 399, HB 429, HB 432, HB 443, HB 468, HB 476, HB 490, HB 494, HB 499, HB 501, HB 504, HB 566, HB 567, HB 577, HB 578, HB 580, HB 598, HB 608, HB 617, HB 620, HB 625, HJR 5, HJR 10, HJR 11, HJR 19, HJR 26.**

HUMAN SERVICES (Soft, Chairman): 2/20/1999

HB 607, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Strike: "AND"

2. Title, page 1, line 9.

Following: "CAUSE"

Insert: "; AND PROVIDING AN APPLICABILITY DATE"

3. Page 5, following line 10.

Insert: "NEW SECTION. **Section 9. Applicability.** [This act] applies to contracts between a health carrier, managed care entity, or their agent and an insured or enrollee and contracts between a health carrier, managed care entity, or their agent and a health care provider entered into on or after October 1, 1999."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

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SB 183, introduced by Nelson
SB 351, introduced by Jergeson
SB 364, introduced by Eck
SB 371, introduced by Mesaros
SB 380, introduced by Lynch
SB 381, introduced by Grimes
SB 394, introduced by Tester
SB 428, introduced by Stang
SB 438, introduced by Christiaens
SB 439, introduced by Hertel

Senate joint resolution passed and transmitted to the House for concurrence:

2/19/1999

SJR 4, introduced by Beck

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 645, introduced by J. Cobb, B. Barnhart, B. Kasten, B. Keenan, C. Swysgood, M. Waterman (by request of the House Joint Appropriations Subcommittee on Human Services and Aging), referred to Appropriations.
HB 646, introduced by D. Haines, S. Bookout-Reinicke, A. Curtiss, S. Fisher, D. Fuchs, L. Grinde, B. Kasten, P. Sliter, L. Taylor, referred to Taxation.
HB 647, introduced by B. Raney, P. Clark, W. Crismore, S. Doherty, S. Gallus, L. Grinde, L. Grosfield, G. Gutsche, J. Harp, H. Harper, J. Mercer, D. Mood, P. Sliter, S. Stang, E. Swanson, referred to Fish, Wildlife and Parks.

The following Senate bills were introduced, read first time, and referred to committees:

SB 153, introduced by Halligan, referred to Judiciary.
SB 183, introduced by Nelson, E. Bergsagel, referred to Agriculture.
SB 224, introduced by T. Keating, C. Ahner, B. Crippen, D. Ewer, S. Gallus, L. Grosfield, D. Harrington, J. McKenney, L. Soft, F. Thomas, J. Tropila, referred to Appropriations.
SB 241, introduced by Doherty, K. Galvin-Halcro, G. Golie, B. Ryan, referred to Fish, Wildlife and Parks.
SB 251, introduced by M. Halligan, referred to Judiciary.
SB 314, introduced by D. Grimes, K. Ohs, referred to State Administration.
SB 351, introduced by G. Jergeson, T. Beck, B. Pavlovich, S. Rose, S. Stang, referred to Business and Labor.
SB 362, introduced by T. Keating, referred to Natural Resources.
SB 364, introduced by D. Eck, B. Barnhart, S. Bartlett, C. Christiaens, J. Cobb, E. Franklin, B. Glaser, B. Krenzler, B. Lawson, B. McCarthy, L. Soft, M. Waterman, referred to Human Services.
SB 371, introduced by K. Mesaros, L. Grosfield, S. Rose, B. Tash, referred to Natural Resources.
SB 380, introduced by J. Lynch, A. Bishop, J. Cobb, B. Crippen, D. Eck, D. Ewer, D. Haines, M. Halligan, D. Harrington, D. Mahlum, referred to Taxation.
SB 381, introduced by D. Grimes, A. Bishop, M. Hanson, C. Hibbard, B. McCarthy, B. Tash, M. Taylor, referred to Fish, Wildlife and Parks.
SB 394, introduced by J. Tester, M. Guggenheim, referred to Agriculture.
SB 428, introduced by S. Stang, referred to Education.
SB 438, introduced by C. Christiaens, D. Hargrove (by request of the Senate Public Health, Welfare, and Safety

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Committee), referred to Human Services.

SB 439, introduced by J. Hertel, L. Grosfield, referred to Business and Labor.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 4, introduced by T. Beck, S. Anderson, S. Bartlett, J. Bohlinger, C. Christiaens, M. Cole, B. Crippen, G. Devlin, S. Doherty, A. Ellis, E. Franklin, B. Glaser, M. Halligan, D. Hargrove, J. Harp, D. Harrington, S. Kitzenberg, J. Lynch, D. Mahlum, L. McCulloch, J. McKenney, W. McNutt, K. Mesaros, L. Nelson, K. Ohs, R. Peck, B. Raney, P. Sliter, L. Soft, M. Sprague, S. Stang, E. Swanson, C. Swysgood, F. Thomas, J. Tropila, M. Waterman, B. Wilson, D. Wyatt, referred to State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 59 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Buzzas, Gutsche, Hurdle, Orr, Trexler.

Total 5

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Bitney.

Total 1

HB 115 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr.

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Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Bitney.
Total 1

HB 188 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 91

Noes: Adams, Jore, McGee, Orr, Vick, Wagner.
Total 6

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Bitney, Hurdle, Thomas.
Total 3

HB 244 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 82

Noes: Adams, S. Anderson, P. Bergsagel, Brown, Holden, Jore, Masolo, Mood, Orr, Rehbein, Smith, Vick,

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Wagner, Walters.
Total 14

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Bitney, Harper, Harrington, Peck.
Total 4

HB 342 passed as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 87

Noes: Adams, Ahner, P. Bergsagel, Brown, Hanson, Jore, McGee, Molnar, Orr, Taylor, Vick, Wagner.
Total 12

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.
Total 0

Absent or not voting: Trexler.
Total 1

HB 345 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: Adams, Fisher, Hanson, Jore, Kasten, Orr, Rehbein, Smith.
Total 8

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Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 432 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 84

Noes: Adams, E. Bergsagel, P. Bergsagel, Cobb, Davies, Grinde, Jore, Kasten, McGee, Orr, Rehbein, Sliter, Story, Vick, Wagner.
Total 15

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Tuss.
Total 1

HB 443 passed as follows:

Ayes: J. Andersen, Barnett, Beck, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McKenney, Menahan, Mood, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Smith, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook.
Total 67

Noes: Adams, Ahner, S. Anderson, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Davies, Fuchs, Grinde, Hanson, Jore, Kasten, Lawson, Masolo, McCann, McGee, Molnar, Noennig, Orr, Rehbein, Simon, Sliter, Soft, Somerville, Story, Taylor, Vick, Wagner, Mr. Speaker.
Total 32

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

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Total 0

Absent or not voting: Harrington.

Total 1

HB 468 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: Jore.

Total 1

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Gallus, Squires.

Total 2

HB 476 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: Adams, E. Bergsagel, P. Bergsagel, Cobb, Curtiss, Jore, Molnar, Orr, Peck, Rehbein, Smith, Vick, Wagner.

Total 13

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: E. Clark.

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Total 1

HB 494 passed as follows:

Ayes: J. Andersen, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Adams, Ahner, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, R. Clark, Curtiss, Davies, Jore, Kasten, Lawson, McCann, McGee, McKenney, Orr, Rehbein, Sliter, Somerville, Story, Taylor, Vick, Wagner, Walters, Younkin.
Total 25

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 499 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 76

Noes: Adams, Barnett, P. Bergsagel, Bitney, Bookout-Reinicke, Davies, Golie, Grinde, Hanson, Jore, Kasten, Lawson, Lenhart, McKenney, Orr, Rehbein, Rose, Sliter, Smith, Somerville, Thomas, Vick, Wagner, Walters.
Total 24

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 504 passed as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 62

Noes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Pavlovich, Peck, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.
Total 38

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 567 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 94

Noes: E. Bergsagel, Cobb, Gallus, Tuss, Vick.
Total 5

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Hibbard.
Total 1

HB 578 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Fisher, Fuchs, Gallus, Gillan, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle,

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Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Witt, Younkin, Zook, Mr. Speaker.

Total 76

Noes: Adams, Buzzas, P. Clark, Erickson, Ewer, Facey, Galvin-Halcro, Golie, Hagener, Harper, Jore, Juneau, Lenhart, Lindeen, Mangan, McCulloch, Orr, Schmidt, Squires, Swanson, Tuss, Walters, Williams, Wyatt.

Total 24

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 580 passed as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 84

Noes: S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Fisher, Grinde, Jore, McCann, McGee, Molnar, Orr, Sliter, Tuss, Wagner, Zook.

Total 15

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: Erickson.

Total 1

HB 598 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney,

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Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 617 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Galvin-Halcro, Hurdle, Smith, Wyatt.

Total 4

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Fuchs.

Total 1

HB 620 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 77

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Noes: Adams, S. Anderson, Barnhart, P. Bergsagel, Bitney, P. Clark, Davies, Erickson, Ewer, Facey, Harper, Hurdle, Jore, Krenzler, Lindeen, McGee, Molnar, Orr, Rehbein, Sliter, Story, Vick, Wagner.

Total 23

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 5 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Facey, Fisher, Fuchs, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, Masolo, McCann, McCulloch, McGee, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 64

Noes: Barnhart, Buzzas, Dell, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Mangan, Matthews, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Soft, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 35

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: McKenney.

Total 1

HJ 10 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Gillan, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Jore, Kasten, Krenzler, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 56

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 44

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Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJ 11 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Facey, Fisher, Fuchs, Gillan, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 71

Noes: Barnhart, Buzzas, Dell, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lindeen, Mangan, Menahan, Peck, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.
Total 28

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Guggenheim.
Total 1

HJ 19 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Fisher, Fuchs, Gillan, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 67

Noes: Barnhart, Buzzas, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Krenzler, Lenhart, Lindeen, Mangan, McCulloch, Menahan, Peck, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.
Total 31

Voted Absentee: Dale, Aye.

Excused: Molnar.

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Total 1

Absent or not voting: Davies.

Total 1

HJ 26 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, Matthews, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 74

Noes: Barnhart, Buzzas, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Juneau, Lindeen, Mangan, McCulloch, Menahan, Raney, Ryan, Schmidt, Smith, Swanson, Williams, Wyatt, Younkin.

Total 25

Voted Absentee: Dale, Aye.

Excused: Molnar.

Total 1

Absent or not voting: None.

Total 0

HB 352 passed as follows:

Ayes: Adams, Ahner, J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Tash, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: S. Anderson, Barnett, Eggers, Erickson, Guggenheim, Hagener, Hurdle, Johnson, Peck, Rehbein, Rose, Smith, Swanson, Taylor, Tuss, Younkin.

Total 16

Voted Absentee: Dale, Aye.

Excused: Molnar.

Total 1

Absent or not voting: None.

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Total 0

MOTIONS

Representative Squires requested on **HB 598**, 3rd reading today, that her vote be shown as yes. There being no objections, so ordered.

Representative Thomas requested on **HJR 10**, 3rd reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Fisher requested on **HB 580**, 3rd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Gallus requested on **HB 59**, 3rd reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Wagner arose on a point of personal privilege to state an objection about Representative Hibbard's vote change of the previous day which could have an effect and change the outcome of the vote. Representative Hibbard withdrew his request to change his vote on **HB 488** on Legislative Day 41.

Representative Grinde moved that the House recess until 8:50 a.m. for the purpose of party caucuses. Motion carried.

House recessed at 8:20 a.m.

House reconvened at 8:50 a.m.

Roll Call. All members present except Representatives Dale and Molnar. Quorum present.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Sliter in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 395 - Representative Facey moved **HB 395** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 98

Noes: Jore, Rehbein.

Total 2

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 592 - Representative Grinde moved consideration of **HB 592** be placed below **HB 606** on the second reading board. Motion carried.

HB 615 - Representative Harrington moved **HB 615** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, P. Bergsagel, Hibbard, Jore, Orr, Wagner.

Total 6

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Ewer, Gillan, McGee.

Total 3

HB 508 - Representative Harrington moved **HB 508** do pass. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 73

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Noes: Adams, Ahner, Barnhart, E. Bergsagel, P. Bergsagel, Brainard, Brown, Curtiss, Davies, Grinde, Hanson, Holden, Jackson, Jore, Kasten, Masolo, McGee, McKenney, Molnar, Orr, Rehbein, Story, Taylor, Vick, Wagner, Walters.

Total 26

Voted Absentee: Molnar, No.

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

HB 325 - Representative Brainard moved **HB 325** do pass.

HB 325 - Representative Brainard moved **HB 325**, second reading copy, be amended as follows :

1. Page 1, line 13.

Following: ". "

Insert: "An ordinance adopted pursuant to this section may not apply to a dog that is owned, kept, or harbored as part of the business of a licensed veterinarian, animal boarding facility, or agricultural or livestock operation."

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hibbard, Holden, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 85

Noes: Buzzas, Erickson, Fisher, Gutsche, Harper, Hurdle, Johnson, Peck, Raney, Soft, Wyatt.

Total 11

Excused: Dale, Molnar.

Total 2

Absent or not voting: P. Clark, Hedges.

Total 2

Motion that **HB 325**, as amended, do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan,

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Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 85

Noes: Adams, E. Bergsagel, P. Bergsagel, Cobb, Gallus, Johnson, Jore, Kasten, McCann, Orr, Peck, Rehbein, Smith, Vick, Wyatt.
Total 15

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 585 - Representative Jore moved **HB 585** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt.
Total 85

Noes: S. Anderson, Barnhart, Brown, Masolo, Orr, Rose, Somerville, Tropila, Younkin, Zook, Mr. Speaker.
Total 11

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Lindeen, Menahan, Pavlovich, Simon.
Total 4

HB 616 - Representative Lindeen moved **HB 616** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 98

Noes: McCann, Rehbein.

Total 2

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 561 - Representative Gallus moved **HB 561** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 98

Noes: Molnar, Orr.

Total 2

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 601 - Representative Anderson moved **HB 601** do pass.

HB 601 - Representative Jore moved **HB 601**, second reading copy, be amended as follows :

1. Page 2, lines 10 and 11.

Following: "THAT"

Insert: " : (i) "

Following: "CERTIFICATE"

Insert: " ; (ii) the classroom instruction be provided in a room having particular characteristics or equipment; or
(iii) the vehicle used for behind-the-wheel instruction have equipment other than the equipment otherwise required by law for operating a vehicle on a public highway "

Amendment passed as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Davies, Fisher, Fuchs, Gillan, Grinde, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Masolo, McGee, McKenney, Mood, Ohs, Orr, Rehbein, Shockley, Simon, Sliter, Soft, Story, Stovall, Tash, Taylor, Thomas, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook.

Total 53

Noes: Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Somerville, Squires, Swanson, Trexler, Williams, Wyatt.

Total 44

Excused: Dale, Molnar.

Total 2

Absent or not voting: Mr. Speaker.

Total 1

Motion that **HB 601**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Masolo, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 55

Noes: Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 45

Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 635 - Representative Brainard moved **HB 635** do pass. Motion failed as follows:

Ayes: Adams, Ahner, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Gallus, Golie, Haines, Hanson, Jackson, Jore, McGee, Molnar, Mood, Orr, Shockley, Simon, Sliter, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters.

Total 33

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Noes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Brown, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 67

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 27 - Representative Story moved **HJR 27** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Orr, Wagner, Walters.

Total 3

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Hibbard, Pavlovich.

Total 2

HJR 24 - Representative Juneau moved **HJR 24** be adopted. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 85

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Noes: Adams, P. Bergsagel, Brainard, Fuchs, Grinde, Jore, McGee, Orr, Rehbein, Wagner, Walters.
Total 11

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Fisher, Gutsche, Menahan, Vick.
Total 4

HJR 31 - Representative Menahan moved **HJR 31** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Jore, McGee, Orr, Story, Vick.
Total 5

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Younkin.
Total 1

HB 606 - Representative Anderson moved **HB 606** do pass. Motion failed as follows:

Ayes: Ahner, S. Anderson, Barnett, Bitney, Bookout-Reinicke, R. Clark, Curtiss, Dale, Erickson, Gillan, Hagener, Haines, Hedges, Jackson, Kasten, Lawson, Lenhart, Mangan, Matthews, McKenney, Menahan, Mood, Noennig, Peck, Rehbein, Simon, Smith, Somerville, Stovall, Tash, Thomas, Walters, Younkin, Zook, Mr. Speaker.
Total 35

Noes: Adams, J. Andersen, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lindeen, Masolo, McCann, McCulloch, McGee, Molnar, Ohs, Orr, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Soft, Squires, Swanson, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Witt, Wyatt.
Total 64

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Voted Absentee: Dale, Aye; Molnar, No.

Excused: None.
Total 0

Absent or not voting: Story.
Total 1

HB 592 - Representative Hibbard moved **HB 592** do pass.

HB 592 - Representative Hibbard moved **HB 592**, second reading copy, be amended as follows :

1. Title, line 22.

Following: "39-51-603,"

Insert: "39-51-310,"

2. Title, line 25.

Following: "39-3-217,"

Strike: "39-51-310, 39-51-2404,"

3. Page 2, lines 26 and 27.

Following: "2," on line 26

Strike: the remainder of line 26 through "taxpayer," on line 27

4. Page 2, line 29.

Following: "paid."

Insert: "A final decision of the workers' compensation court may be appealed as provided in 39-71-2904."

5. Page 12.

Following: line 2

Insert: "Section 8. Section 39-51-310, MCA, is amended to read:

"39-51-310. Function of board. The board shall act in a quasi-judicial capacity for the hearing of disputes concerning the administration of Montana's unemployment insurance laws ~~and disputes arising under Title 39, chapter 71, not concerning benefits, regarding whether an individual is an employee or an independent contractor as defined in that chapter.~~"

Renumber: subsequent sections

6. Page 12, lines 9 through 13.

Strike: line 9 in its entirety through "39-51-2410" on line 13

Insert: "39-71-415"

7. Page 32.

Following: line 5

Insert: "NEW SECTION. **Section 28. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

8. Page 32, line 13.

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Following: "claims"

Strike: "filed"

Insert: "accruing"

9. Page 32, line 17.

Following: "[Sections"

Strike: "23 through 26, 28, and 29"

Insert: "14 through 20"

10. Page 32, line 19.

Following: "of"

Strike: "sections 23 through 26, 28, and 29"

Insert: "this act"

11. Page 32, line 21.

Strike: "20 THROUGH 24"

Insert: "21 through 25"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Dale, Molnar.

Total 2

Absent or not voting: Brainard, Younkin.

Total 2

Motion that **HB 592**, as amended, do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 87

Noes: Adams, P. Bergsagel, Brainard, Davies, Jore, Orr, Rehbein, Vick, Wagner.

Total 9

Voted Absentee: Dale, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Curtiss, Masolo, Simon, Story.

Total 4

Representative Harrington excused at this time.

HB 373 - Representative Younkin moved **HB 373** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Adams, Brainard, Fuchs, Jore, Lawson, Mood, Orr, Rehbein, Smith, Wagner.

Total 10

Voted Absentee: Dale, Harrington, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: S. Anderson, Sliter, Story.

Total 3

HB 503 - Representative Grinde moved consideration of **HB 503** be passed for the day. Motion carried.

HB 531 - Representative Gillan moved **HB 531** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 76

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, Cobb, Curtiss, Davies, Fisher, Fuchs, Hedges, Holden, Jore, Orr, Rehbein, Rose, Shockley, Story, Tash, Taylor, Vick, Wagner, Walters.

Total 23

Voted Absentee: Dale, Harrington, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Mangan.

Total 1

HB 526 - Representative Mangan moved **HB 526** do pass.

HB 526 - Representative Mangan moved **HB 526**, second reading copy, be amended as follows :

1. Page 11, lines 1 and 2.

Following: "." on line 1

Strike: remainder of line 1 through "." on line 2

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Williams, Witt, Wyatt, Younkin, Zook.

Total 84

Noes: Adams, Barnhart, Bitney, Davies, Fuchs, Haines, Jore, McGee, Orr, Wagner, Walters.

Total 11

Excused: Dale, Harrington, Molnar.

Total 3

Absent or not voting: Kasten, Mr. Speaker.

Total 2

Motion that **HB 526**, as amended, do pass carried as follows:

Ayes: Barnett, Barnhart, Beck, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt,

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Wyatt, Younkin, Zook.
Total 65

Noes: Adams, Ahner, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Curtiss, Davies, Fisher, Fuchs, Haines, Hanson, Holden, Jackson, Jore, Kasten, Masolo, McCann, McGee, McKenney, Molnar, Orr, Rehbein, Sliter, Somerville, Story, Taylor, Vick, Wagner, Walters, Mr. Speaker.
Total 34

Voted Absentee: Harrington, Aye; Molnar, No.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

HB 639 - Representative Mangan moved **HB 639** do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Williams, Witt, Wyatt, Younkin, Zook.
Total 67

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Cobb, Davies, Fisher, Hanson, Holden, Jackson, Jore, Kasten, Masolo, McGee, McKenney, Molnar, Mood, Orr, Rehbein, Sliter, Somerville, Story, Vick, Wagner, Walters.
Total 29

Voted Absentee: Harrington, Aye; Molnar, No.

Excused: Dale.
Total 1

Absent or not voting: Fuchs, Tuss, Mr. Speaker.
Total 3

HB 640 - Representative Mangan moved **HB 640** do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook.
Total 63

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Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Cobb, Curtiss, Davies, Fuchs, Grinde, Hanson, Holden, Jackson, Jore, Kasten, Masolo, McGee, McKenney, Molnar, Mood, Orr, Rehbein, Sliter, Somerville, Story, Taylor, Vick, Wagner, Walters, Mr. Speaker.

Total 34

Voted Absentee: Harrington, Aye; Molnar, No.

Excused: Dale.

Total 1

Absent or not voting: McCann, Menahan.

Total 2

HB 590 - Representative Lawson moved **HB 590** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McKenney, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Tash, Thomas, Trexler, Tropila, Vick, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 78

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Cobb, Grinde, Hanson, Jore, Kasten, Mangan, McGee, Orr, Rehbein, Shockley, Story, Swanson, Taylor, Tuss, Wagner, Williams.

Total 20

Voted Absentee: Dale, Harrington, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Gallus, Menahan.

Total 2

HB 588 - Representative Lawson moved **HB 588** do pass.

HB 588 - Representative Lawson moved **HB 588**, second reading copy, be amended as follows :

1. Page 1, line 19.

Strike: "\$35"

Insert: "\$60"

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Hurdle, Jackson, Johnson,

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Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tuss, Vick, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 77

Noes: Adams, Barnett, E. Bergsagel, P. Bergsagel, Cobb, Fuchs, Grinde, Holden, Jore, McGee, Menahan, Mood, Orr, Rehbein, Smith, Story, Tropila, Wagner, Williams.

Total 19

Excused: Dale, Harrington, Molnar.

Total 3

Absent or not voting: Bitney.

Total 1

Motion that **HB 588**, as amended, do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McKenney, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Soft, Somerville, Squires, Stovall, Tash, Thomas, Trexler, Tropila, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 74

Noes: Adams, Barnett, E. Bergsagel, P. Bergsagel, Cobb, Grinde, Hanson, Jore, Kasten, Mangan, McGee, Menahan, Molnar, Mood, Orr, Rehbein, Shockley, Smith, Story, Swanson, Taylor, Tuss, Vick, Wagner, Williams.

Total 25

Voted Absentee: Dale, Harrington, Ayes; Molnar, No.

Excused: None.

Total 0

Absent or not voting: Bitney.

Total 1

HB 527 - Representative Harper moved **HB 527** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 90

Noes: Adams, S. Anderson, Brown, Grinde, Jore, Orr, Pavlovich, Rehbein, Story.

Total 9

Voted Absentee: Harrington, Molnar, Ayes.

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

HB 623 - Representative Brainard moved **HB 623** do pass. Motion failed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hedges, Holden, Jackson, Jore, Kasten, McGee, McKenney, Molnar, Mood, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Somerville, Story, Stovall, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 47

Noes: Barnhart, Beck, E. Bergsagel, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Tash, Tropila, Tuss, Williams, Wyatt.

Total 52

Voted Absentee: Dale, Molnar, Ayes; Harrington, No.

Excused: None.

Total 0

Absent or not voting: Bitney.

Total 1

HB 440 - Representative Brainard moved **HB 440** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Golie, Grinde, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 62

Noes: Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, McCulloch, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.

Total 37

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Voted Absentee: Dale, Aye; Harrington, Molnar, Noes.

Excused: None.
Total 0

Absent or not voting: Bitney.
Total 1

HB 329 - Representative Clark moved **HB 329** do pass.

HB 329 - Representative Rehbein moved **HB 329**, second reading copy, be amended as follows :

1. Title, line 5.

Following: "VIOLATION;"

Insert: "ALLOWING VOLUNTARY NONUSE OF SEATBELTS IN CERTAIN INSTANCES;"

2. Page 1, line 20.

Following: "61-9-420;"

Strike: "or"

3. Page 1, line 22.

Following: "department"

Insert: "; or

(g) an occupant who possesses a written, signed, and notarized statement of the occupant that the occupant voluntarily chooses not to wear a seatbelt while an occupant of a motor vehicle"

Amendment failed as follows:

Ayes: Adams, Ahner, P. Bergsagel, Bitney, Cobb, Davies, Fisher, Fuchs, Golie, Grinde, Haines, Hanson, Holden, Jore, Kasten, Matthews, McKenney, Orr, Pavlovich, Rehbein, Ryan, Shockley, Simon, Sliter, Stovall, Taylor, Thomas, Trexler, Tropila, Tuss, Wyatt, Younkin, Zook.

Total 33

Noes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harper, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, McCann, McCulloch, McGee, Menahan, Mood, Noennig, Ohs, Peck, Quilici, Raney, Rose, Schmidt, Smith, Soft, Somerville, Squires, Swanson, Vick, Wagner, Walters, Williams, Witt, Mr. Speaker.

Total 62

Excused: Dale, Harrington, Molnar.
Total 3

Absent or not voting: Story, Tash.
Total 2

Motion that **HB 329** do pass failed as follows:

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Ayes: J. Andersen, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Haines, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Lawson, Mangan, Menahan, Noennig, Peck, Quilici, Rose, Schmidt, Shockley, Sliter, Smith, Soft, Somerville, Swanson, Tash, Thomas, Walters, Wyatt, Mr. Speaker.
Total 49

Noes: Adams, Ahner, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brown, E. Clark, Cobb, Davies, Fuchs, Gallus, Golie, Grinde, Hanson, Harper, Jackson, Jore, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Ohs, Orr, Pavlovich, Raney, Rehbein, Ryan, Simon, Squires, Story, Stovall, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Witt, Younkin, Zook.
Total 51

Voted Absentee: Dale, Harrington, Ayes; Molnar, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 449 - Representative Hurdle moved **HB 449** do pass.

Representative Grinde assumed the chair.

HB 449 - Representative McGee moved **HB 449**, second reading copy, be amended as follows :

1. Title, line 4 through line 6.

Strike: "REVISING" on line 4 through "46-18-201" on line 6

Insert: "PROVIDING THAT IT IS A COMPLETE DEFENSE TO THE CRIMINAL OFFENSE OF DEVIATE SEXUAL CONDUCT THAT THE ALLEGED ACT OR ACTS OCCURRED BETWEEN CONSENTING ADULTS ENGAGING IN PRIVATE, SAME-GENDER, NONCOMMERCIAL SEXUAL CONDUCT; AND AMENDING SECTION 45-5-505"

2. Page 1, line 10 through page 12, line 23.

Strike: section 1 through section 3 in their entirety

Renumber: subsequent sections

3. Page 12, line 28.

Following: "conduct."

Insert: "It is a complete defense that the alleged act or acts occurred between consenting adults engaging in private, same-gender, noncommercial sexual conduct."

4. Page 13, line 4.

Insert: "(3) The fact that a person seeks testing or receives treatment for the HIV-related virus or another sexually transmitted disease may not be used as a basis for a prosecution under this section and is not admissible in a prosecution under this section."

5. Page 13, line 5 through page 16, line 16.

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Strike: section 5 through section 6 in their entirety

Renumber: subsequent section

Amendment failed as follows:

Ayes: Ahner, J. Andersen, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Kasten, Lawson, McGee, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 45

Noes: Adams, S. Anderson, Barnhart, Beck, Buzzas, P. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Jore, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Story, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.

Total 53

Voted Absentee: Harrington, No.

Excused: Dale, Molnar.

Total 2

Absent or not voting: None.

Total 0

HB 449 - Representative Shockley moved **HB 449**, second reading copy, be amended as follows :

1. Title, line 4 through line 6.

Strike: "REVISING" on line 4 through "46-18-201" on line 6

Insert: "PROVIDING THAT SEXUAL CONDUCT BETWEEN CONSENTING ADULTS ENGAGING IN PRIVATE SAME-GENDER, NONCOMMERCIAL SEXUAL CONDUCT IS NOT A CRIMINAL OFFENSE; AND AMENDING SECTION 45-5-505"

2. Page 1, line 10 through page 12, line 23.

Strike: section 1 through section 3 in their entirety

Renumber: subsequent sections

3. Page 12, line 28.

Following: "conduct."

Insert: "It is not an offense under this section if the alleged act or acts occurred between consenting adults engaging in private, same-gender, noncommercial sexual conduct."

4. Page 13, line 4.

Insert: "(3) The fact that a person seeks testing or receives treatment for the HIV-related virus or another sexually transmitted disease may not be used as a basis for a prosecution under this section and is not admissible in a prosecution under this section."

5. Page 13, line 5 through page 16, line 16.

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Strike: section 5 through section 6 in their entirety

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Kasten, Lawson, Masolo, McCann, McGee, Molnar, Mood, Ohs, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 53

Noes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Jore, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McKenney, Menahan, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt, Younkin.

Total 47

Voted Absentee: Dale, Molnar, Ayes; Harrington, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 449 - Representative Menahan moved for cloture.

Motion that **HB 449**, as amended, do pass failed as follows:

Ayes: J. Andersen, S. Anderson, E. Bergsagel, Bookout-Reinicke, Brown, E. Clark, Cobb, Fisher, Grinde, Haines, Harrington, Hedges, Holden, Johnson, Lenhart, Masolo, McCann, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Rose, Shockley, Sliter, Soft, Somerville, Story, Stovall, Taylor, Tropila, Witt, Younkin, Zook, Mr. Speaker.

Total 37

Noes: Adams, Ahner, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Brainard, Buzzas, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Hibbard, Hurdle, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Matthews, McCulloch, McGee, Molnar, Orr, Peck, Raney, Rehbein, Ryan, Schmidt, Simon, Smith, Squires, Swanson, Tash, Thomas, Trexler, Tuss, Vick, Wagner, Walters, Williams, Wyatt.

Total 63

Voted Absentee: Harrington, Aye; Dale, Molnar, Noes.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 530 - Representative McGee moved **HB 530** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fuchs, Gillan, Grinde, Haines, Hanson, Harrington, Hedges, Holden, Jackson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Younkin, Zook, Mr. Speaker.

Total 66

Noes: Barnhart, Buzzas, E. Clark, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harper, Hibbard, Hurdle, Johnson, Juneau, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Raney, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Witt, Wyatt.

Total 33

Voted Absentee: Dale, Harrington, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Taylor.

Total 1

HB 181 - Representative Sliter moved **HB 181** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook.

Total 83

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Brown, Davies, Haines, Jackson, Jore, Kasten, Rehbein, Rose, Ryan, Taylor, Vick, Walters.

Total 16

Voted Absentee: Dale, Harrington, Molnar, Ayes.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 506 - Representative Sliter moved **HB 506** do pass. Motion carried as follows:

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Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Zook.
Total 84

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Davies, Harper, Jore, Kasten, McGee, Orr, Story, Tuss, Wyatt, Younkin.
Total 14

Voted Absentee: Dale, Harrington, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Hagener, Mr. Speaker.
Total 2

HB 104 - Representative Hagener moved **HB 104** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 81

Noes: Adams, E. Bergsagel, P. Bergsagel, Cobb, Curtiss, Davies, Fuchs, Haines, Holden, Jore, Kasten, Molnar, Orr, Rehbein, Story, Taylor, Vick, Wagner.
Total 18

Voted Absentee: Harrington, Aye; Molnar, No.

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

HB 127 - Representative Johnson moved consideration of **HB 127** be placed at the bottom of the second reading board. Motion carried.

HB 366 - Representative Kasten moved **HB 366** do pass.

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HB 366 - Representative McGee moved **HB 366**, second reading copy, be amended as follows :

1. Page 25, line 8.

Strike: "no"

2. Page 25, line 25.

Strike: "no"

Insert: "a"

Representative Sliter reassumed the chair.

Amendment failed as follows:

Ayes: Adams, Ahner, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, R. Clark, Cobb, Curtiss, Davies, Fisher, Grinde, Haines, Hibbard, Jore, Lawson, McGee, McKenney, Mood, Ohs, Orr, Rehbein, Shockley, Sliter, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Walters, Zook.

Total 36

Noes: J. Andersen, S. Anderson, Barnhart, Beck, Brown, Buzzas, E. Clark, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Hedges, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Squires, Swanson, Thomas, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 61

Excused: Dale, Harrington, Molnar.

Total 3

Absent or not voting: None.

Total 0

Motion that **HB 366** do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brown, Buzzas, E. Clark, P. Clark, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: Adams, Bookout-Reinicke, Brainard, R. Clark, Curtiss, Jore, Molnar, Orr, Vick.

Total 9

Voted Absentee: Dale, Harrington, Ayes; Molnar, No.

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Excused: None.
Total 0

Absent or not voting: Cobb, Stovall.
Total 2

HB 593 - Representative Harper moved **HB 593** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: Adams, Bookout-Reinicke, Grinde, Jackson, Jore, Orr, Thomas, Vick.
Total 8

Voted Absentee: Dale, Harrington, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 614 - Representative Wagner moved **HB 614** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Gallus, Galvin-Halcro, Ryan.
Total 3

Voted Absentee: Dale, Harrington, Molnar, Ayes.

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

Representative Erickson excused at this time.

HB 336 - Representative Gillan moved **HB 336** do pass. Motion carried as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Molnar, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Stovall, Swanson, Thomas, Tropila, Tuss, Williams, Wyatt, Younkin, Zook.
Total 68

Noes: Adams, Ahner, E. Bergsagel, P. Bergsagel, Bitney, Curtiss, Davies, Fisher, Fuchs, Haines, Hanson, Hedges, Jore, Kasten, Masolo, McGee, Menahan, Mood, Ohs, Orr, Rehbein, Simon, Sliter, Story, Tash, Taylor, Trexler, Vick, Wagner, Walters, Witt.
Total 31

Voted Absentee: Dale, Erickson, Harrington, Molnar, Ayes.

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

HB 45 - Representative Lawson moved **HB 45** do pass.

HB 45 - Representative Lawson moved **HB 45**, second reading copy, be amended as follows :

1. Title, line 6.

Strike: the second "AND"

2. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 2, line 9.

Insert: "NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 1999."

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Hedges, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck,

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Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.
Total 85

Noes: Adams, Grinde, Hanson, Jore, Kasten, Masolo, Taylor.
Total 7

Excused: Dale, Erickson, Harrington, Molnar.
Total 4

Absent or not voting: Fuchs, Hibbard, Shockley, Mr. Speaker.
Total 4

HB 45 - Representative Clark moved **HB 45**, second reading copy, be amended as follows :

1. Title, line 4 through line 5.

Strike: "MAKING" on line 4 through "WEAPON" on line 5

Insert: "FURTHER REGULATING THE POSSESSION, CARRYING, AND STORING OF WEAPONS IN SCHOOL BUILDINGS AND"

2. Page 1, line 13.

Following: "(1)"

Insert: "(a)"

Following: "person"

Insert: "who is an elementary or a secondary school student of any age or who is a nonstudent under 18 years of age"

3. Page 1, line 16.

Following: line 15

Insert: "(b) A person who is not an elementary or a secondary school student and is 18 years of age or older commits the offense of possession of a weapon in a school building if the person knowingly possesses, carries, or stores a weapon in a school building."

4. Page 1, line 19.

Following: "(1)"

Insert: "(a) does not apply to a student at a private military academy. Subsection (1)(b)"

Following: "enforcement"

Insert: ", military, or school security"

Following: "personnel"

Insert: "or to a person with a concealed weapon permit"

5. Page 1, line 26.

Strike: "lawful"

6. Page 1, line 27.

Following: "owner"

Insert: ", unless it is unlawful for the owner to possess it"

7. Page 1, line 30.

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Strike: "lawful"

Following: "owner"

Insert: ", unless it is unlawful for the owner to possess it"

8. Page 2, line 1.

Insert: "(5)(a) A person arrested for a violation of subsection (1)(a) must be detained in a juvenile detention center for 48 hours unless a court determines that there was no probable cause for the arrest or releases the person under Title 46, chapter 9. If an available mental health counselor has time to do so, the counselor shall discuss the case with the arrested person during the arrested person's period of detention.

(b) If a person arrested under subsection (1)(a) is a student at the school, the school may search the student's locker and possessions in the school building or on the school grounds for the purpose of seizing and turning over to law enforcement personnel any weapons possessed or stored in violation of this section.

(6) Each elementary and secondary school shall post signs in each school building and on school grounds that contain the prohibitions contained in this section."

Renumber: subsequent subsection

9. Page 2, line 4.

Following: "structures"

Insert: ", except parking areas,"

Amendment passed as follows:

Ayes: Adams, Ahner, Barnhart, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, R. Clark, Cobb, Curtiss, Davies, Eggers, Fisher, Fuchs, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Johnson, Jore, Kasten, Kitzenberg, Masolo, McGee, Mood, Ohs, Orr, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 52

Noes: J. Andersen, S. Anderson, Barnett, Beck, P. Bergsagel, Buzzas, E. Clark, P. Clark, Dell, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Jackson, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 44

Excused: Dale, Erickson, Harrington, Molnar.

Total 4

Absent or not voting: None.

Total 0

HB 45 - Representative Lawson moved **HB 45**, second reading copy, be amended as follows :

1. Page 1, line 20 through line 21.

Strike: "may" on line 20 through "store" on line 21

Insert: "shall adopt a policy identifying criteria for permitted possession, carrying, and storing of "

2. Page 1, line 21.

Following: "grounds"

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Insert: "or in any portion of a school building or on any portion of school grounds"

Amendment passed as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, E. Clark, P. Clark, Dell, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Hedges, Hurdle, Jackson, Juneau, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Stovall, Thomas, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook.

Total 54

Noes: Adams, Ahner, Barnhart, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, R. Clark, Cobb, Curtiss, Davies, Eggers, Fisher, Fuchs, Grinde, Haines, Hanson, Hibbard, Holden, Johnson, Jore, Kasten, Lenhart, McCann, McGee, Mood, Ohs, Orr, Ryan, Simon, Sliter, Story, Tash, Taylor, Trexler, Vick, Wagner, Walters.

Total 40

Excused: Dale, Erickson, Harrington, Molnar.

Total 4

Absent or not voting: Swanson, Mr. Speaker.

Total 2

Motion that **HB 45**, as amended, do pass failed as follows:

Ayes: Molnar.

Total 1

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 99

Voted Absentee: Molnar, Aye; Dale, Erickson, Harrington, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 315 - Representative Raney moved **HB 315** do pass.

Representative Simon assumed the chair.

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Representative Peck excused at this time.

Representative Schmidt moved for cloture.

Motion that **HB 315** do pass carried as follows:

Ayes: Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Harper, Harrington, Hedges, Holden, Hurdle, Johnson, Jore, Juneau, Krenzler, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Squires, Stovall, Swanson, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Wyatt, Mr. Speaker.

Total 64

Noes: Adams, Ahner, J. Andersen, S. Anderson, Bitney, E. Clark, Fisher, Fuchs, Hagener, Haines, Hanson, Hibbard, Jackson, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, McKenney, Mood, Rehbein, Rose, Sliter, Smith, Soft, Somerville, Story, Tash, Taylor, Thomas, Witt, Younkin, Zook.

Total 33

Voted Absentee: Erickson, Harrington, Molnar, Peck, Ayes.

Excused: Dale.

Total 1

Absent or not voting: Ohs, Williams.

Total 2

HB 316 - Representative Raney moved **HB 316** do pass.

Representative Sliter reassumed the chair.

HB 316 - Representative Taylor moved **HB 316**, second reading copy, be amended as follows :

1. Page 2, line 4.

Following: "park"

Strike: ", "

Insert: "and"

2. Page 2, line 5.

Following: first "park"

Strike: ", and Rosebud Battlefield state park"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs,

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Orr, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: Buzzas, Eggers, Facey.

Total 3

Excused: Dale, Erickson, Harrington, Molnar, Peck.

Total 5

Absent or not voting: Bitney, Grinde, Pavlovich.

Total 3

Motion that **HB 316**, as amended, do pass carried as follows:

Ayes: Ahner, S. Anderson, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 78

Noes: Adams, J. Andersen, Barnett, P. Bergsagel, Brainard, E. Clark, Davies, Golie, Hedges, Jackson, Jore, Kasten, Lawson, McKenney, Rose, Somerville, Tash, Wagner, Witt.

Total 19

Voted Absentee: Erickson, Harrington, Molnar, Peck, Ayes.

Excused: Dale.

Total 1

Absent or not voting: E. Bergsagel, Vick.

Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Sliter moved the Committee of the Whole report be adopted.

HB 449 - Representative Hurdle made a substitute motion that **HB 449** be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Juneau, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Smith, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 39

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Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Masolo, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 56

Voted Absentee: Dale, No.

Excused: Erickson, Harrington, Molnar, Peck.
Total 4

Absent or not voting: Younkin.
Total 1

Committee of the whole report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Davies, Dell, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, McCann, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Shockley, Simon, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 70

Noes: Barnhart, Buzzas, P. Clark, Cobb, Eggers, Ewer, Facey, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Lindeen, Mangan, Matthews, McCulloch, Ryan, Schmidt, Sliter, Squires, Swanson, Tuss, Williams, Wyatt.
Total 25

Excused: Dale, Erickson, Harrington, Molnar, Peck.
Total 5

Absent or not voting: None.
Total 0

MOTIONS

Representative Beck requested that he be removed as cosponsor from **HB 601**. There being no objections, so ordered.

Representative Grinde moved that **HB 127**, **HB 555**, and **HB 577** be rereferred to the Committee on Appropriations. Motion carried.

Representative Noennig requested on **HB 639**, 2nd reading today, that his vote be shown as yes.

Representative Fuchs requested on behalf of Representative Dale that on **HB 45**, 2nd reading today, that his vote be changed from yes to no.

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Representative Witt requested on **HB 366**, 2nd reading today, that his vote be shown as yes.

Representative R. Clark requested the House reconsider its action on **HB 329**. Motion failed as follows:

Ayes: J. Andersen, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, P. Clark, R. Clark, Curtiss, Dell, Eggers, Ewer, Facey, Fisher, Galvin-Halcro, Guggenheim, Hagener, Haines, Hedges, Hibbard, Johnson, Juneau, Kitzenberg, Lawson, Lenhart, Mangan, McCulloch, Menahan, Noennig, Rose, Schmidt, Shockley, Smith, Soft, Somerville, Swanson, Tash, Thomas, Tropila, Walters, Wyatt, Mr. Speaker.

Total 43

Noes: Adams, Ahner, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brown, E. Clark, Cobb, Davies, Fuchs, Gallus, Gillan, Golie, Grinde, Gutsche, Hanson, Harper, Harrington, Holden, Hurdle, Jackson, Jore, Kasten, Krenzler, Lindeen, Masolo, Matthews, McCann, McGee, McKenney, Mood, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Ryan, Simon, Sliter, Squires, Story, Stovall, Taylor, Trexler, Tuss, Vick, Wagner, Williams, Witt, Younkin, Zook.

Total 53

Voted Absentee: Harrington, No.

Excused: Dale, Erickson, Molnar, Peck.

Total 4

Absent or not voting: None.

Total 0

Representative Jore requested to take **HB 122** from the Committee on Business and Labor and place it on 2nd reading. Motion failed as follows:

Ayes: Adams, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Cobb, Curtiss, Davies, Fisher, Fuchs, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, McGee, Orr, Rehbein, Sliter, Story, Taylor, Thomas, Vick, Walters, Younkin, Mr. Speaker.

Total 29

Noes: Ahner, J. Andersen, Barnhart, Beck, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dell, Eggers, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Zook.

Total 64

Excused: Dale, Erickson, Harrington, Molnar, Peck.

Total 5

Absent or not voting: Brainard, Grinde.

Total 2

Representative Wyatt requested the House reconsider its action on **HB 363**. Motion failed as follows:

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Ayes: Barnett, Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dell, Eggers, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 45

Noes: Adams, Ahner, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McGee, McKenney, Mood, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 52

Voted Absentee: Harrington, Peck, Ayes.

Excused: Dale, Erickson, Molnar.

Total 3

Absent or not voting: None.

Total 0

Representative Hurdle requested on the **HB 363** reconsideration vote today that her vote be shown as yes.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 8:00 a.m., Monday, February 22, 1999. Motion carried.

House adjourned at 5:30 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

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Helena, Montana
February 22, 1999

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Brown. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Dale. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirty-sixth and thirty-seventh legislative days, find the same to be correct.

Rehbein, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/22/1999

Correctly printed: **HB 607, SB 200.**

Correctly engrossed: **HB 104, HB 181, HB 298, HB 315, HB 316, HB 325, HB 336, HB 366, HB 373, HB 395, HB 440, HB 478, HB 506, HB 508, HB 526, HB 527, HB 530, HB 531, HB 548, HB 550, HB 560, HB 561, HB 563, HB 585, HB 588, HB 590, HB 592, HB 593, HB 601, HB 614, HB 615, HB 616, HB 633, HB 639, HB 640, HJR 24, HJR 27, HJR 31.**

Signed by the Speaker at 7:48 a.m., February 22, 1999: **HB 3.**

Delivered to the Governor for his approval at 1:55 p.m., February 22, 1999: **HB 3, HB 36, HB 141.**

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/20/1999

SB 306, introduced by Grimes

SB 310, introduced by Mohl

SB 311, introduced by Mohl

SB 342, introduced by Hargrove

SB 349, introduced by Christiaens

SB 369, introduced by Miller

SB 374, introduced by Lynch

SB 377, introduced by Stang

SB 378, introduced by Stang

SB 379, introduced by Stang

SB 386, introduced by Mahlum

SB 414, introduced by Stang

SB 415, introduced by Jabs

Senate joint resolution passed and transmitted to the House for concurrence: 2/20/1999

SJR 9, introduced by Cole

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FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 648, introduced by R. Menahan, S. Gallus, J. Lynch, B. Pavlovich, J. Quilici, G. Roush, referred to Transportation.

The following Senate bills were introduced, read first time, and referred to committees:

SB 306, introduced by D. Grimes, S. Bartlett, R. Clark, P. Ekegren, L. Grosfield, M. Halligan, L. Soft, F. Thomas, referred to Judiciary.

SB 310, introduced by A. Mohl, referred to Taxation.

SB 311, introduced by A. Mohl, referred to Taxation.

SB 342, introduced by D. Hargrove, C. Ahner, S. Anderson, J. Barnett, T. Beck, D. Berry, J. Bohlinger, C. Christiaens, V. Cocchiarella, M. Cole, B. Crippen, R. Dale, B. DePratu, G. Devlin, S. Doherty, D. Eck, A. Ellis, E. Franklin, L. Grinde, L. Grosfield, M. Halligan, J. Harp, J. Hertel, C. Hibbard, R. Holden, R. Jabs, M. McCann, L. McCulloch, W. McNutt, J. Mercer, K. Mesaros, A. Mohl, L. Nelson, K. Ohs, J. Quilici, S. Rose, G. Roush, D. Shea, P. Sliter, M. Sprague, S. Stang, E. Swanson, C. Swysgood, B. Tash, M. Taylor, J. Tester, F. Thomas, M. Waterman, B. Wilson, C. Younkin, referred to Agriculture.

SB 349, introduced by C. Christiaens, E. Bergsagel, D. Berry, A. Bishop, V. Cocchiarella, S. Doherty, J. Ellingson, L. Grinde, M. Halligan, J. Harp, J. McKenney, W. McNutt, K. Ohs, F. Thomas, referred to Appropriations.

SB 369, introduced by K. Miller, referred to Business and Labor.

SB 374, introduced by J. Lynch, D. Adams, S. Gallus, D. Harrington, B. McCarthy, R. Menahan, B. Pavlovich, J. Quilici, D. Shea, C. Swysgood, referred to Transportation.

SB 377, introduced by B. Stang, referred to Business and Labor.

SB 378, introduced by B. Stang, referred to Business and Labor.

SB 379, introduced by B. Stang, referred to Business and Labor.

SB 386, introduced by D. Mahlum, K. Ohs, referred to Business and Labor.

SB 414, introduced by S. Stang, referred to Business and Labor.

SB 415, introduced by R. Jabs, referred to Local Government.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 9, introduced by M. Cole, C. Ahner, S. Bartlett, G. Jergeson, B. Rehbein, M. Taylor, referred to State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 104 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 79

Noes: Adams, E. Bergsagel, P. Bergsagel, Curtiss, Dale, Davies, Grinde, Holden, Jore, Kasten, Molnar, Orr, Rehbein, Shockley, Sliter, Story, Taylor, Vick, Wagner.

Total 19

Voted Absentee: Dale, No.

Excused: None.

Total 0

Absent or not voting: Bitney, Tuss.

Total 2

HB 181 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harrington, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Zook, Mr. Speaker.

Total 78

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Brown, Davies, Haines, Harper, Hedges, Jackson, Jore, Kasten, Mangan, Masolo, Orr, Rehbein, Ryan, Taylor, Vick, Wyatt, Younkin.

Total 21

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Thomas.

Total 1

HB 237 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: Adams, P. Bergsagel, Davies, Fuchs, Holden, Jore, Kasten, Molnar, Orr, Rehbein, Vick, Wagner.

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Total 12

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Buzzas, Ewer.

Total 2

HB 315 passed as follows:

Ayes: Ahner, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Harper, Harrington, Holden, Hurdle, Johnson, Jore, Juneau, Krenzler, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Soft, Squires, Stovall, Swanson, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Adams, J. Andersen, S. Anderson, E. Clark, Dale, Fisher, Hagener, Haines, Hanson, Hedges, Hibbard, Jackson, Kasten, Kitzenberg, Lawson, Lenhart, Masolo, McKenney, Rehbein, Smith, Somerville, Story, Tash, Taylor, Thomas, Witt, Younkin.

Total 27

Voted Absentee: Dale, No.

Excused: None.

Total 0

Absent or not voting: Sliter, Williams.

Total 2

HB 336 passed as follows:

Ayes: J. Andersen, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 64

Noes: Adams, Ahner, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Curtiss, Davies, Fisher, Fuchs, Grinde, Hanson, Hedges, Holden, Jore, Kasten, Masolo, McGee, McKenney, Molnar, Orr, Rehbein, Simon, Sliter, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 36

Voted Absentee: Dale, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 366 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Brown, Buzzas, E. Clark, P. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 86

Noes: Adams, P. Bergsagel, Bookout-Reinicke, Brainard, R. Clark, Curtiss, Jore, Molnar, Orr, Tash, Vick, Wagner.
Total 12

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: Harrington, Juneau.
Total 2

HB 373 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 90

Noes: Adams, Fuchs, Hedges, Jore, Lawson, Orr, Rehbein, Smith, Wagner.
Total 9

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

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Absent or not voting: Williams.
Total 1

HB 395 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Jore, Orr, Rehbein.
Total 3

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 399 passed as follows:

Ayes: J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Williams, Wyatt, Younkin, Zook.
Total 67

Noes: Adams, Ahner, S. Anderson, P. Bergsagel, Bitney, E. Clark, R. Clark, Dale, Davies, Fuchs, Grinde, Hanson, Holden, Jackson, Jore, McCann, McGee, McKenney, Molnar, Mood, Orr, Rehbein, Simon, Sliter, Story, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Mr. Speaker.
Total 33

Voted Absentee: Dale, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 429 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Adams, Jore, Smith.

Total 3

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Fuchs, Rehbein.

Total 2

HB 440 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Golie, Grinde, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 59

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, McCulloch, Molnar, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Squires, Swanson, Taylor, Tuss, Williams, Wyatt.

Total 39

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Brainard, Fuchs.

Total 2

HB 501 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney,

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Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Facey, Fisher, Fuchs, Gallus, Gillan, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Lenhart, Lindeen, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Schmidt, Shockley, Simon, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 77

Noes: Beck, P. Clark, Erickson, Ewer, Galvin-Halcro, Golie, Gutsche, Harper, Hurdle, Juneau, Krenzler, Mangan, Matthews, McCulloch, Peck, Raney, Ryan, Smith, Squires, Tuss, Wyatt.

Total 21

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Kitzenberg, Sliter.

Total 2

HB 506 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Zook, Mr. Speaker.

Total 83

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, Davies, Harper, Jore, Kasten, McGee, Orr, Story, Tuss, Younkin.

Total 13

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: E. Clark, Jackson, Kitzenberg, Wyatt.

Total 4

HB 508 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McKenney,

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Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 75

Noes: Adams, P. Bergsagel, Brainard, Brown, Curtiss, Dale, Davies, Hanson, Holden, Jackson, Jore, Kasten, Masolo, McCann, McGee, Molnar, Mood, Orr, Rehbein, Sliter, Story, Taylor, Vick, Wagner, Walters.

Total 25

Voted Absentee: Dale, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 527 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, S. Anderson, Brown, Jore, Orr, Rehbein, Story.

Total 7

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 530 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fuchs, Gallus, Gillan, Grinde, Haines, Hanson, Harrington, Hedges, Holden, Jackson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 69

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Noes: Barnhart, Buzzas, E. Clark, Eggers, Erickson, Ewer, Facey, Fisher, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harper, Hibbard, Hurdle, Johnson, Juneau, Lindeen, Mangan, Matthews, McCulloch, Raney, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.

Total 30

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Taylor.

Total 1

HB 531 passed as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Adams, S. Anderson, Davies, Fisher, Hedges, Holden, Jore, Orr, Rehbein, Sliter, Story, Tash, Taylor, Vick, Wagner, Walters, Younkin.

Total 17

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 561 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Barnhart, E. Bergsagel, Cobb, Fuchs, Grinde, Masolo, McCann, Molnar, Orr, Shockley, Story, Wagner, Younkin.

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Total 13

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 566 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Ewer, Facey, Fisher, Fuchs, Golie, Grinde, Guggenheim, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Lindeen, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 70

Noes: Barnhart, Buzzas, Cobb, Dell, Erickson, Gallus, Galvin-Halcro, Gillan, Gutsche, Hagener, Harrington, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Mangan, McCann, Noennig, Pavlovich, Peck, Quilici, Raney, Schmidt, Smith, Swanson, Tropila, Williams, Wyatt.

Total 29

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Eggers.

Total 1

HB 585 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Barnhart, Brown, Noennig, Wyatt.

Total 4

Voted Absentee: Dale, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 590 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Tash, Thomas, Trexler, Tropila, Tuss, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 77

Noes: Adams, Beck, E. Bergsagel, P. Bergsagel, Cobb, Guggenheim, Hanson, Jore, Juneau, Kasten, Mangan, McGee, Rehbein, Shockley, Story, Swanson, Taylor, Vick, Wagner, Williams.
Total 20

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: Brainard, E. Clark, Orr.
Total 3

HB 593 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: Adams, Jackson, Jore, Orr, Rehbein, Vick, Wagner.
Total 7

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

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Absent or not voting: Trexler.
Total 1

HB 614 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Erickson, Gallus.
Total 2

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: Holden.
Total 1

HB 615 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 94

Noes: Adams, Hibbard, Jore, Orr, Story.
Total 5

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: E. Clark.
Total 1

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HB 616 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 99

Noes: Rehbein.
Total 1

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 625 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Gillan, Grinde, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, McCann, McGee, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 65

Noes: Barnhart, Beck, Buzzas, P. Clark, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Juneau, Mangan, Matthews, McCulloch, McKenney, Menahan, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.
Total 35

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 639 passed as follows:

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Ayes: Ahner, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, P. Clark, R. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Stovall, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 68

Noes: Adams, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Brainard, Cobb, Curtiss, Davies, Fisher, Fuchs, Grinde, Hanson, Holden, Jackson, Jore, Kasten, Masolo, McGee, McKenney, Molnar, Orr, Rehbein, Somerville, Story, Taylor, Vick, Wagner, Walters.

Total 29

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: E. Clark, Harrington, Swanson.

Total 3

HB 640 passed as follows:

Ayes: Ahner, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Stovall, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 69

Noes: Adams, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Cobb, Curtiss, Dale, Davies, Fuchs, Grinde, Hanson, Holden, Jackson, Jore, Kasten, Masolo, McGee, McKenney, Molnar, Orr, Rehbein, Sliter, Somerville, Story, Taylor, Vick, Wagner, Walters.

Total 29

Voted Absentee: Dale, No.

Excused: None.

Total 0

Absent or not voting: Guggenheim, Swanson.

Total 2

HJ 6 adopted as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim,

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Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 94

Noes: Adams, Johnson, Jore, Orr, Peck, Rehbein.
Total 6

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJ 9 adopted as follows:

Ayes: Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rose, Ryan, Schmidt, Simon, Soft, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 63

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, P. Bergsagel, Brainard, Brown, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hanson, Holden, Jackson, Johnson, Jore, Kasten, Lawson, McGee, Molnar, Orr, Rehbein, Shockley, Sliter, Smith, Somerville, Story, Thomas, Vick, Wagner, Walters.
Total 36

Voted Absentee: Dale, No.

Excused: None.
Total 0

Absent or not voting: Raney.
Total 1

HJ 24 adopted as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft,

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Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 90

Noes: Adams, E. Bergsagel, P. Bergsagel, Jore, McGee, Orr, Rehbein, Vick, Wagner, Walters.

Total 10

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 27 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Fisher, Fuchs.

Total 2

HJ 31 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

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Noes: Ewer, Orr, Story.
Total 3

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: Somerville.
Total 1

MOTIONS

Representative Ewer requested on **HB 181**, 3rd reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Galvin-Halcro requested on **HB 181**, 3rd reading today, that her vote be changed from no to yes. There being no objections, so ordered.

Representative P. Clark requested on **HB 181**, 3rd reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Squires requested on **HJR 27**, 3rd reading today, that her vote be shown as yes. There being no objections, so ordered.

Representative Lenhart requested on **HJR 27**, 3rd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Erickson requested on **HB 614**, 2nd reading on Legislative Day 42, that his vote be shown as yes. There being no objections, so ordered.

Representative Haines requested on **HB 45**, 2nd reading on Legislative Day 42, that his vote be shown as no. There being no objections, so ordered.

Representative Simon requested on **HB 530**, 3rd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Shockley requested on **HB 104**, 3rd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Curtiss requested on **HB 104**, 3rd reading today, that her vote be changed from yes to no. There being no objections, so ordered.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Harrington in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 529 - Representative Juneau moved **HB 529** do pass.

HB 529 - Representative Rehbein moved **HB 529**, second reading copy, be amended as follows :

1. Page 1, line 19.

Following: ". "

Insert: "The preference provided for in this section must apply to the percentage of positions that corresponds to a ratio based upon the percentage of Indian students to total students in the district."

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Davies, Ewer, Fuchs, Grinde, Hanson, Hedges, Hibbard, Holden, Johnson, Juneau, Kasten, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tuss, Wagner, Walters, Williams, Younkin, Mr. Speaker.

Total 53

Noes: Adams, Barnett, Beck, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hurdle, Jackson, Jore, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Schmidt, Smith, Squires, Tropila, Vick, Witt, Wyatt, Zook.

Total 46

Excused: Dale.

Total 1

Absent or not voting: None.

Total 0

Motion that **HB 529**, as amended, do pass failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Simon, Smith, Squires, Stovall, Swanson, Thomas, Tropila, Tuss, Williams, Wyatt.

Total 46

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hanson, Hedges, Hibbard, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Sliter, Soft, Somerville, Story, Tash, Taylor, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 54

Voted Absentee: Dale, No.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 408 - Representative Younkin moved **HB 408** do pass. Motion failed as follows:

Ayes: Ahner, Barnhart, Bitney, Bookout-Reinicke, Buzzas, P. Clark, Cobb, Curtiss, Dale, Eggers, Erickson, Ewer, Facey, Gillan, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Lenhart, McCulloch, Noennig, Ohs, Peck, Raney, Schmidt, Shockley, Sliter, Soft, Somerville, Stovall, Swanson, Tash, Thomas, Trexler, Walters, Williams, Younkin.
Total 45

Noes: Adams, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Brainard, Brown, E. Clark, R. Clark, Davies, Dell, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Hanson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Mangan, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Simon, Smith, Squires, Story, Taylor, Tropila, Tuss, Vick, Wagner, Witt, Wyatt, Zook, Mr. Speaker.
Total 55

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 298 - Representative Fuchs moved **HB 298** do pass.

HB 298 - Representative Fuchs moved **HB 298**, second reading copy, be amended as follows:

1. Page 2, line 18.

Strike: "used"

Insert: "installed"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook.
Total 88

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Noes: Buzzas, Eggers, Erickson, Galvin-Halcro, Hurdle, Squires, Swanson, Tuss, Williams, Wyatt.
Total 10

Excused: Dale.
Total 1

Absent or not voting: Mr. Speaker.
Total 1

Motion that **HB 298**, as amended, do pass carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Ewer, Fisher, Fuchs, Gallus, Golie, Grinde, Haines, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lindeen, Masolo, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 71

Noes: Barnhart, Buzzas, P. Clark, Eggers, Erickson, Facey, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hurdle, Juneau, Lenhart, Mangan, Peck, Ryan, Schmidt, Shockley, Smith, Squires, Swanson, Tuss, Williams, Wyatt.
Total 28

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: McCulloch.
Total 1

HB 596 - Representative Somerville moved **HB 596** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.
Total 97

Noes: Jore, Orr.
Total 2

Voted Absentee: Dale, Aye.

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Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

HB 559 - Representative Curtiss moved **HB 559** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Quilici, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 58

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, McCann, McCulloch, Menahan, Pavlovich, Peck, Raney, Ryan, Schmidt, Shockley, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.
Total 41

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: Bitney.
Total 1

HB 570 - Representative Lawson moved **HB 570** do pass. Motion failed as follows:

Ayes: Cobb, Dale, Gallus, Galvin-Halcro, Gillan, Golie, Hagener, Harrington, Holden, Johnson, Kitzenberg, Krenzler, Lawson, Mangan, Masolo, Matthews, Menahan, Pavlovich, Peck, Quilici, Ryan, Shockley, Somerville, Squires, Thomas, Tuss.
Total 26

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Hedges, Hibbard, Hurdle, Jackson, Jore, Juneau, Kasten, Lenhart, Lindeen, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Raney, Rehbein, Rose, Schmidt, Simon, Sliter, Smith, Soft, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 74

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

HB 613 - Representative Mangan moved **HB 613** do pass. Motion carried as follows:

Ayes: Ahner, Beck, Bookout-Reinicke, Brainard, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harrington, Hibbard, Hurdle, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Squires, Swanson, Tash, Thomas, Tropila, Tuss, Walters, Williams, Wyatt, Younkin, Mr. Speaker.
Total 54

Noes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Brown, Buzzas, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Harper, Hedges, Holden, Jackson, Johnson, Jore, Juneau, Kasten, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Taylor, Trexler, Vick, Wagner, Witt, Zook.
Total 45

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: Kitzenberg.
Total 1

HB 632 - Representative Bitney moved **HB 632** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McKenney, Mood, Noennig, Ohs, Peck, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 55

Noes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Orr, Pavlovich, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.
Total 44

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: Bookout-Reinicke.
Total 1

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HB 575 - Representative Dell moved **HB 575** do pass. Motion failed as follows:

Ayes: Beck, Brainard, Buzzas, R. Clark, Dell, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Harper, Harrington, Jackson, Krenzler, Lenhart, Lindeen, Mangan, McCulloch, Menahan, Molnar, Pavlovich, Peck, Quilici, Schmidt, Shockley, Somerville, Swanson, Wyatt.
Total 28

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Erickson, Ewer, Facey, Fisher, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Mood, Noennig, Ohs, Orr, Raney, Rehbein, Rose, Ryan, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 72

Voted Absentee: Dale, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 633 - Representative Bitney moved **HB 633** do pass.

HB 633 - Representative Tash moved **HB 633**, second reading copy, be amended as follows :

1. Title, line 6.

Following: "ROAD"

Insert: "UNTIL PROCEDURES FOR THE ISSUANCE HAVE BEEN REVIEWED"

2. Page 1, line 18.

Following: "road"

Insert: "unless the environmental quality council has reviewed the procedures for issuing those permits"

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Eggers, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 93

Noes: Adams, Erickson, Hagener, Jore.

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Total 4

Excused: Dale.

Total 1

Absent or not voting: Dell, Molnar.

Total 2

HB 633 - Representative Bitney moved **HB 633**, as amended, do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 65

Noes: S. Anderson, Barnett, Barnhart, Buzzas, P. Clark, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Juneau, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Peck, Raney, Rehbein, Ryan, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.
Total 35

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 25 - Representative Gillan moved **HJR 25** be adopted. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Sliter, Smith, Soft, Squires, Stovall, Swanson, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Mr. Speaker.
Total 77

Noes: Adams, R. Clark, Davies, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, McGee, Orr, Rehbein, Shockley, Simon, Somerville, Story, Tash, Taylor, Vick, Wagner, Walters.
Total 22

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

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Absent or not voting: Zook.
Total 1

HB 129 - Representative Stovall moved **HB 129** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Erickson, Fisher, Fuchs, Gallus, Galvin-Halcro, Grinde, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Lawson, Lenhart, Mangan, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Witt, Younkin, Zook.
Total 67

Noes: Adams, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Buzzas, P. Clark, Davies, Eggers, Ewer, Facey, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hurdle, Jore, Kasten, Krenzler, Lindeen, Masolo, McCulloch, Noennig, Orr, Schmidt, Swanson, Tuss, Vick, Wagner, Williams, Wyatt.
Total 32

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

HB 641 - Representative Squires moved **HB 641** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 90

Noes: Adams, P. Bergsagel, Jore, McGee, Orr, Rehbein, Vick, Wagner.
Total 8

Voted Absentee: Dale, Aye.

Excused: None.
Total 0

Absent or not voting: S. Anderson, Guggenheim.
Total 2

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HJR 32 - Representative Sliter moved **HJR 32** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 89

Noes: P. Bergsagel, Kasten, McCann, Rehbein, Story, Vick, Zook.

Total 7

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Barnhart, Bitney, Gillan, Tuss.

Total 4

HJR 29 - Representative Barnhart moved **HJR 29** be adopted. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: Adams, Brainard, R. Clark, Fuchs, Holden, Jore, Orr, Rehbein, Vick, Wagner.

Total 10

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Bitney.

Total 1

HJR 23 - Representative Lindeen moved **HJR 23** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke,

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Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: E. Bergsagel, Jackson.

Total 2

HB 469 - Representative Brainard moved **HB 469** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Fuchs, Golie, Grinde, Guggenheim, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Jore, Juneau, Kasten, Kitzenberg, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rose, Shockley, Sliter, Soft, Somerville, Squires, Stovall, Tash, Taylor, Trexler, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 74

Noes: Buzzas, Eggers, Gallus, Galvin-Halcro, Gillan, Gutsche, Hagener, Hurdle, Krenzler, Lawson, Mangan, Menahan, Pavlovich, Rehbein, Ryan, Schmidt, Simon, Smith, Story, Swanson, Tropila, Tuss, Vick, Wyatt.

Total 24

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Johnson, Thomas.

Total 2

HB 560 - Representative Hanson moved **HB 560** do pass.

HB 560 - Representative Taylor moved **HB 560**, second reading copy, be amended as follows :

1. Page 2, lines 19 through 21.

Strike: subsection (b) in its entirety

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Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, P. Clark, Cobb, Curtiss, Dale, Davies, Ewer, Facey, Fisher, Fuchs, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Haines, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Wyatt, Younkin, Mr. Speaker.

Total 77

Noes: Barnhart, Brainard, Buzzas, R. Clark, Dell, Eggers, Erickson, Gallus, Golie, Hagener, Hanson, Harrington, Mangan, Menahan, Pavlovich, Peck, Shockley, Smith, Swanson, Wagner, Williams, Witt, Zook.

Total 23

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 560 - Representative Hanson moved **HB 560**, as amended, do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 98

Noes: Jore.

Total 1

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Barnett.

Total 1

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HB 227 - Representative Molnar moved **HB 227** do pass. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 87

Noes: Buzzas, Erickson, Ewer, Facey, Galvin-Halcro, Gutsche, Hurdle, Juneau, Swanson, Williams, Wyatt.

Total 11

Excused: Dale.

Total 1

Absent or not voting: P. Clark.

Total 1

HB 100 - Representative Simon moved **HB 100** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 85

Noes: Adams, E. Bergsagel, P. Bergsagel, Davies, Fuchs, Jore, McGee, Molnar, Orr, Rehbein, Vick, Wagner, Wyatt.

Total 13

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Masolo, Sliter.

Total 2

HB 550 - Representative Rehbein moved **HB 550** do pass.

HB 550 - Representative Rehbein moved **HB 550**, second reading copy, be amended as follows :

1. Title, line 7 through line 8.

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Strike: "ALLOWING" on line 7 through "PROPERTY;" on line 8

Strike: "SECTIONS" on line 8

Insert: "SECTION"

Strike: "AND 87-4-914"

2. Title, line 9.

Strike: "AN"

Insert: "A DELAYED"

3. Page 1, line 30 through page 2, line 4.

Strike: section 2 in its entirety

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 85

Noes: Brainard, R. Clark, Gutsche, Hurdle, Jore, Juneau, Mangan, McGee, Orr, Peck, Vick, Wagner.
Total 12

Excused: Dale.

Total 1

Absent or not voting: Rose, Somerville.

Total 2

HB 550 - Representative Rehbein moved **HB 550**, as amended, do pass. Motion carried as follows:

Ayes: Adams, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lenhart, Masolo, Matthews, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 77

Noes: Ahner, Barnhart, P. Bergsagel, P. Clark, Cobb, Erickson, Ewer, Galvin-Halcro, Gutsche, Harper, Hurdle, Juneau, Lawson, Lindeen, Mangan, McCulloch, Menahan, Peck, Raney, Tuss, Williams, Wyatt.
Total 22

Voted Absentee: Dale, Aye.

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Excused: None.
Total 0

Absent or not voting: McCann.
Total 1

HB 548 - Representative Raney moved **HB 548** do pass.

HB 548 - Representative Raney moved **HB 548**, second reading copy, be amended as follows :

1. Page 3, line 10.

Following: ". "

Insert: "The plan may not be implemented unless the commission determines, based upon scientific investigation and after public hearing, that a species of wildlife poses no threat of harm to native wildlife and plants or to agricultural production and that the reintroduction or retranslocation of a species has significant public benefits."

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 95

Noes: Jore, McGee.
Total 2

Excused: Dale.
Total 1

Absent or not voting: Barnhart, Vick.
Total 2

HB 548 - Representative Raney moved **HB 548**, as amended, do pass. Motion carried as follows:

Ayes: Adams, Ahner, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, P. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Haines, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Pavlovich, Quilici, Raney, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Swanson, Tash, Tuss, Walters, Williams, Wyatt.
Total 59

Noes: J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brainard, Brown, E. Clark, R. Clark, Curtiss, Davies, Grinde, Hagener, Hanson, Hedges, Jore, Kasten, Kitzenberg, Masolo, McCann, Ohs, Peck,

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Rehbein, Rose, Sliter, Squires, Story, Stovall, Taylor, Thomas, Trexler, Tropila, Vick, Witt, Younkin, Zook, Mr. Speaker.

Total 37

Voted Absentee: Dale, Aye.

Excused: None.

Total 0

Absent or not voting: Cobb, Fisher, Orr, Wagner.

Total 4

HB 478 - Representative Golie moved **HB 478** do pass.

HB 478 - Representative Rehbein moved **HB 478**, second reading copy, be amended as follows :

1. Title, line 5.

Strike: "LIMITING THE"

Insert: "REQUIRING THE FISH, WILDLIFE, AND PARKS COMMISSION TO SET THE NUMBER OF"

2. Title, line 6.

Strike: "ARE"

Insert: "MAY BE"

3. Page 1, line 18.

Strike: "must"

Insert: "may"

4. Page 1, line 18 through line 19.

Strike: "no" on line 18 through the first "may" on line 19

Insert: "the commission shall set the number of licenses to"

Amendment failed as follows:

Ayes: Adams, S. Anderson, Cobb, Hanson, Hedges, Holden, Jackson, Jore, Kasten, Masolo, Orr, Rehbein, Rose, Shockley, Smith, Story, Swanson, Taylor.

Total 18

Noes: Ahner, J. Andersen, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Simon, Sliter, Soft, Somerville, Squires, Stovall, Tash, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 80

Excused: Dale.

Total 1

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Absent or not voting: P. Bergsagel.
Total 1

HB 478 - Representative Sliter moved **HB 478**, second reading copy, be amended as follows :

1. Page 1, line 18.
Following: "7,500"
Strike: "8,500"
Insert: "5,000"

Amendment failed as follows:

Ayes: Beck, Bitney, Bookout-Reinicke, Brainard, Brown, R. Clark, Curtiss, Dell, Erickson, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Johnson, Juneau, Krenzler, Mangan, Matthews, Menahan, Molnar, Mood, Noennig, Ohs, Peck, Ryan, Sliter, Soft, Squires, Thomas, Trexler, Tropila, Vick, Mr. Speaker.
Total 37

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Buzzas, E. Clark, P. Clark, Cobb, Davies, Eggers, Ewer, Facey, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Jore, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Masolo, McCann, McCulloch, McGee, McKenney, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Schmidt, Shockley, Simon, Smith, Somerville, Story, Stovall, Swanson, Tash, Taylor, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook.
Total 62

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

HB 478 - Representative Molnar moved **HB 478**, second reading copy, be amended as follows :

1. Page 1, line 18.
Following: "7,500"
Strike: "8,500"
Insert: "7,500"

Amendment passed as follows:

Ayes: Ahner, J. Andersen, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dell, Eggers, Erickson, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Harper, Hedges, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Mood, Noennig, Ohs, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Sliter, Soft, Squires, Stovall, Swanson, Thomas, Trexler, Tropila, Tuss, Witt.
Total 63

Noes: Adams, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Cobb, Davies, Ewer, Facey, Hagener, Hanson, Harrington, Hibbard, Holden, Jore, Kasten, Masolo, McKenney, Orr, Pavlovich, Rehbein, Rose, Simon, Smith,

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Somerville, Story, Tash, Taylor, Vick, Wagner, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.
Total 36

Excused: Dale.
Total 1

Absent or not voting: None.
Total 0

HB 478 - Representative Golie moved **HB 478**, as amended, do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, P. Clark, R. Clark, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Jackson, Johnson, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Sliter, Soft, Somerville, Squires, Swanson, Thomas, Tropila, Tuss, Walters, Williams, Wyatt.
Total 58

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brown, E. Clark, Cobb, Curtiss, Dale, Fisher, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jore, Kasten, Kitzenberg, Masolo, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Simon, Smith, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Witt, Younkin, Zook, Mr. Speaker.
Total 42

Voted Absentee: Dale, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 438 - Representative Eggers moved **HB 438** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 84

Noes: Adams, P. Bergsagel, Dale, Davies, Fuchs, Grinde, Hanson, Jore, Kasten, Lawson, Molnar, Orr, Rehbein, Story, Vick, Walters.
Total 16

Voted Absentee: Dale, No.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representatives Barnhart and Juneau excused at this time.

Representative Tropila assumed the chair.

HB 564 - Representative Somerville moved **HB 564** do pass. Motion failed as follows:

Ayes: Adams, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, P. Clark, R. Clark, Cobb, Curtiss, Davies, Erickson, Fisher, Fuchs, Golie, Grinde, Gutsche, Haines, Harper, Hurdle, Jackson, Jore, Juneau, Kitzenberg, Lawson, McGee, Menahan, Molnar, Mood, Orr, Raney, Ryan, Sliter, Somerville, Trexler, Tropila, Wagner, Walters, Mr. Speaker.
Total 40

Noes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, Brown, Buzzas, E. Clark, Dale, Dell, Eggers, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Hagener, Hanson, Hedges, Hibbard, Holden, Johnson, Kasten, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Noennig, Ohs, Peck, Quilici, Rehbein, Rose, Schmidt, Shockley, Simon, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Tuss, Vick, Williams, Witt, Wyatt, Younkin, Zook.
Total 57

Voted Absentee: Barnhart, Juneau, Ayes; Dale, No.

Excused: None.
Total 0

Absent or not voting: Harrington, McCulloch, Pavlovich.
Total 3

HB 586 - Representative Wyatt moved consideration of **HB 586** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

Representative Harrington reassumed the chair.

HB 572 - Representative Squires moved **HB 572** do pass. Motion failed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Brainard, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Sliter, Squires, Stovall, Swanson, Tropila, Williams, Wyatt.
Total 45

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brown, E. Clark, R. Clark, Cobb, Curtiss, Davies, Fisher, Fuchs, Grinde, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Orr, Rehbein, Rose, Shockley,

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Simon, Smith, Soft, Somerville, Story, Tash, Taylor, Thomas, Trexler, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 53

Voted Absentee: Barnhart, Juneau, Ayes.

Excused: Dale.

Total 1

Absent or not voting: Ohs.

Total 1

HJR 7 - Representative Curtiss moved **HJR 7** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 55

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 45

Voted Absentee: Dale, Aye; Barnhart, Juneau, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 8 - Representative Curtiss moved **HJR 8** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McCann, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 60

Noes: Barnhart, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 40

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Voted Absentee: Dale, Aye; Barnhart, Juneau, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 17 - Representative Curtiss moved **HJR 17** be adopted. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 57

Noes: Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.
Total 42

Voted Absentee: Dale, Aye; Juneau, No.

Excused: Barnhart.
Total 1

Absent or not voting: None.
Total 0

HB 563 - Representative Gillan moved **HB 563** do pass as amended.

HB 563 - Representative Gillan moved **HB 563**, second reading copy, be amended as follows :

1. Title, line 8.

Following: " ; "

Insert: "RESTRICTING THE USE OF THE TITLE "ACUPUNCTURIST" BY CERTAIN DOCTORS OF MEDICINE OR OSTEOPATHY;"

Following: "37-13-104,"

Insert: "37-13-301,"

2. Page 2, line 2.

Insert: "Section 2. Section 37-13-301, MCA, is amended to read:

"37-13-301. License required for practice. (1) A person may not engage in the practice of acupuncture in this state unless the person is licensed under the provisions of this chapter.

(2) ~~★~~ Except as provided in subsection (3), a person may not purport to practice acupuncture or use the title "acupuncturist" or any similar title unless the person is licensed under the provisions of this chapter.

(3) A doctor of medicine or osteopathy who is licensed pursuant to the authority contained in 37-13-

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104(1)(c) and 37-13-302(3) and who uses acupuncture in the doctor's practice may not use the title "acupuncturist" or any similar title unless the person also meets the requirements of 37-13-302. "

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Curtiss, Davies, Dell, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Hurdle, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Witt, Younkin, Zook, Mr. Speaker.

Total 79

Noes: Adams, R. Clark, Eggers, Erickson, Fisher, Hibbard, Jackson, Ohs, Rehbein, Shockley, Sliter, Thomas, Trexler, Wagner, Williams, Wyatt.

Total 16

Excused: Barnhart, Dale, Juneau.

Total 3

Absent or not voting: Cobb, Walters.

Total 2

Representative Dale present at this time.

HB 563 - Representative R. Clark moved **HB 563**, second reading copy, be amended as follows :

1. Page 1, line 22.

Strike: "200"

Insert: "1,000"

Amendment failed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, E. Bergsagel, Brainard, Buzzas, R. Clark, Curtiss, Dale, Eggers, Erickson, Ewer, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Kasten, McGee, McKenney, Menahan, Mood, Ohs, Orr, Shockley, Sliter, Squires, Swanson, Taylor, Thomas, Trexler, Wagner, Walters, Williams, Younkin, Mr. Speaker.

Total 40

Noes: Barnett, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, E. Clark, P. Clark, Cobb, Davies, Dell, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Jackson, Johnson, Jore, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Molnar, Noennig, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Story, Stovall, Tash, Tropila, Tuss, Vick, Witt, Wyatt, Zook.

Total 58

Excused: Barnhart, Juneau.

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Total 2

Absent or not voting: None.

Total 0

Motion that **HB 563**, as amended, do pass carried as follows:

Ayes: Barnett, Beck, P. Bergsagel, Brainard, Brown, E. Clark, P. Clark, Davies, Dell, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Harrington, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McGee, Molnar, Noennig, Pavlovich, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Vick, Wyatt.

Total 51

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnhart, E. Bergsagel, Bitney, Buzzas, R. Clark, Cobb, Curtiss, Dale, Eggers, Erickson, Ewer, Facey, Fisher, Gutsche, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Kasten, McCann, McCulloch, McKenney, Menahan, Mood, Orr, Rose, Shockley, Squires, Swanson, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 47

Voted Absentee: Juneau, Aye.

Excused: None.

Total 0

Absent or not voting: Bookout-Reinicke, Ohs.

Total 2

HB 586 - Representative Dale moved **HB 586** do pass.

Representative Barnhart present at this time.

HB 586 - Representative Wyatt moved **HB 586**, second reading copy, be amended as follows :

1. Title, line 4.

Following: "COUNTIES"

Insert: ", CITIES, OR TOWNS"

2. Page 5, line 13.

Following: line 12

Insert: "NEW SECTION. Section 7. Park maintenance districts. (1) A city or town may upon petition of 10% or more of the qualified electors of the proposed park maintenance district or upon a resolution of intent adopted by the governing body create a park maintenance district. An election is not required if the petition is signed by 51 % or more of the qualified electors of the proposed district. The district may be created for the purposes of, but not limited to, mowing, irrigation, turf repair and maintenance, recreation facility and equipment maintenance, tree trimming and removal, garbage removal, general cleaning, and leaf debris removal.

(2) A park maintenance district authorized by this section must be created and assessments and improvements must be undertaken and carried out in accordance with procedures established in Title 7, chapter 12, part 44, for street maintenance districts."

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Insert: "NEW SECTION. Section 8. Codification instruction. [Section 7] is intended to be codified as an integral part of Title 7, chapter 12, and the provisions of Title 7, chapter 12, apply to [section 7]."

Amendment failed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.

Total 44

Noes: Adams, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 54

Excused: Juneau.

Total 1

Absent or not voting: Ahner.

Total 1

HB 586 - Representative Dale moved **HB 586** do pass. Motion failed as follows:

Ayes: Ahner, Barnett, Barnhart, Bitney, Bookout-Reinicke, R. Clark, Dale, Dell, Erickson, Facey, Fisher, Fuchs, Gallus, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Kitzenberg, Krenzler, Lindeen, Matthews, Menahan, Noennig, Ohs, Pavlovich, Peck, Quilici, Rose, Ryan, Shockley, Simon, Sliter, Soft, Tash, Thomas, Wagner, Younkin, Zook, Mr. Speaker.

Total 44

Noes: Adams, J. Andersen, S. Anderson, Beck, E. Bergsagel, P. Bergsagel, Brainard, Brown, Buzzas, E. Clark, P. Clark, Curtiss, Davies, Eggers, Ewer, Galvin-Halcro, Gillan, Golie, Grinde, Haines, Hanson, Hurdle, Johnson, Jore, Juneau, Kasten, Lawson, Lenhart, Mangan, Masolo, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Orr, Raney, Rehbein, Schmidt, Smith, Somerville, Squires, Story, Stovall, Swanson, Taylor, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Wyatt.

Total 55

Voted Absentee: Juneau, No.

Excused: None.

Total 0

Absent or not voting: Cobb.

Total 1

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Grinde moved the Committee of the Whole

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report be adopted.

HB 572 - Representative Squires made a substitute motion that **HB 572** be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion failed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hurdle, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Orr, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 45

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 53

Excused: Juneau.

Total 1

Absent or not voting: Cobb.

Total 1

Committee of the Whole report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, McCann, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 79

Noes: Barnhart, Buzzas, P. Clark, Erickson, Ewer, Facey, Galvin-Halcro, Gutsche, Hurdle, Mangan, Matthews, McCulloch, Rehbein, Ryan, Schmidt, Squires, Swanson, Tuss, Wagner, Williams.

Total 20

Excused: Juneau.

Total 1

Absent or not voting: None.

Total 0

Representative Juneau present at this time.

MOTIONS

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Representative Menahan moved to take **HB 54** from the Judiciary Committee and be printed and placed on 2nd reading. Motion carried.

Representative Hurdle requested on **HB 559**, 2nd reading today, that her vote be shown as no. There being no objections, so ordered.

Representative P. Clark requested on **HB 564**, 2nd reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Hedges requested on **HB 530**, 3rd reading today, that his vote be changed from no to yes. There being no objections, so ordered.

Representative Lenhart requested on **HB 530**, 3rd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Noennig requested on **HJR 25**, 2nd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Squires requested on **HB 641**, 2nd reading today, that her vote be shown as yes. There being no objections, so ordered.

Representative Curtiss requested on **HJR 7**, 2nd reading today, that her vote be shown as yes. There being no objections, so ordered.

Representative Beck requested on **HB 564**, 2nd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Hurdle moved that the House reconsider its action on **HB 449**. Motion failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Juneau, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Smith, Squires, Swanson, Tropila, Williams, Wyatt, Younkin.
Total 41

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tuss, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 59

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Anderson moved that the House reconsider its action on **HB 606**. Motion passed as follows:

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Ayes: J. Andersen, S. Anderson, Barnett, Barnhart, Bookout-Reinicke, Brainard, Brown, P. Clark, R. Clark, Curtiss, Davies, Dell, Eggers, Erickson, Facey, Gallus, Gillan, Guggenheim, Hagener, Haines, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Matthews, McCann, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Raney, Rose, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Walters, Younkin, Zook, Mr. Speaker.
Total 59

Noes: Adams, Ahner, Beck, E. Bergsagel, P. Bergsagel, Bitney, Buzzas, E. Clark, Cobb, Ewer, Fisher, Fuchs, Galvin-Halcro, Golie, Grinde, Gutsche, Hanson, Harper, Harrington, Johnson, Jore, Lindeen, Masolo, McCulloch, McGee, Molnar, Orr, Quilici, Rehbein, Ryan, Shockley, Story, Taylor, Tuss, Vick, Wagner, Williams, Witt, Wyatt.
Total 39

Excused: None.
Total 0

Absent or not voting: Dale, Kasten.
Total 2

Representative Grinde moved that **HB 613** be rereferred to the Committee on Appropriations. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Harrington in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 503 - Representative Sliter moved **HB 503** do pass.

HB 503 - Representative Sliter moved **HB 503**, second reading copy, be amended as follows :

1. Page 1, line 12.

Following: "municipalities"

Insert: "-- definition"

Following: "municipalities."

Insert: "(1)"

2. Page 1, line 14.

Following: "town"

Insert: ". (2) For the purposes of this part, 'unincorporated city or town' means an entity "

3. Page 1, line 15.

Following: "plan"

Insert: "as provided for in or authorized by a county master plan"

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Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Dale, Jackson, Kasten.

Total 3

Excused: None.

Total 0

Absent or not voting: Grinde.

Total 1

HB 503 - Representative Sliter moved **HB 503**, as amended, do pass. Motion failed as follows:

Ayes: Ahner, Bitney, Bookout-Reinicke, R. Clark, Dale, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Golie, Grinde, Harrington, Lindeen, Mangan, Menahan, Noennig, Ohs, Pavlovich, Quilici, Raney, Ryan, Shockley, Simon, Sliter, Squires, Swanson, Thomas, Wagner, Wyatt.

Total 30

Noes: Adams, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brainard, Brown, Buzzas, E. Clark, Cobb, Curtiss, Dell, Eggers, Erickson, Ewer, Gillan, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Krenzler, Lawson, Lenhart, Masolo, McCann, McCulloch, McGee, McKenney, Molnar, Mood, Orr, Peck, Rehbein, Rose, Schmidt, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 66

Excused: None.

Total 0

Absent or not voting: P. Clark, Davies, Kitzenberg, Matthews.

Total 4

HB 54 - Representative Menahan moved **HB 54** do pass.

HB 54 - Representative Gallus moved **HB 54**, second reading copy, be amended as follows :

1. Title, line 7 through line 8.

Following: "FLUID";" on line 7

Strike: remainder of line 7 through "SALIVA;" on line 8

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2. Title, line 8.

Following: "AMENDING"

Strike: "SECTIONS 41-5-206 AND"

Insert: "SECTION"

3. Page 1, line 13 through page 3, line 8.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 3, line 16.

Following: "offense."

Insert: "purposely or knowingly"

5. Page 3, line 18.

Strike: "subsection"

Insert: "subsections"

Following: "(3)"

Insert: "and (4)"

6. Page 3, line 21.

Strike: "(a)"

7. Page 3, line 24.

Strike: "(b)"

Insert: "(4)(a)"

Following: "fluid"

Insert: "committed while incarcerated in a place other than a state prison"

Strike: "\$5,000"

Insert: "\$1,000"

8. Page 3, line 25.

Strike: "state prison"

Insert: "county jail"

Strike: "5 years"

Insert: "1 year"

9. Page 3, line 25 through line 28.

Following: "both." on line 25

Strike: remainder of line 25 through "both." on line 28

Insert: "(b) A person convicted of assault with a bodily fluid committed while incarcerated in a state prison shall, if at the time of sentencing the person is incarcerated in a state prison, be sentenced to an additional term of 1 year in a state prison and the first 90 days after the sentencing shall be spent in administrative segregation at the state prison."

10. Page 3, line 29.

Strike: "(4)"

Insert: "(5)"

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11. Page 4, line 1 through line 3.

Strike: subsection (5) in its entirety

HB 54 - Representative Molnar moved the amendment be divided. Thereupon, the amendment numbers 1-10 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Dell, Jore, Kasten.

Total 3

Amendment number 11 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Brown, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Swanson, Tash, Trexler, Tropila, Tuss, Williams, Wyatt, Younkin, Mr. Speaker.

Total 64

Noes: Barnhart, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, E. Clark, R. Clark, Cobb, Curtiss, Davies, Fuchs, Golie, Haines, Hanson, Jackson, Johnson, Jore, Kasten, Lawson, McCann, McGee, Molnar, Pavlovich, Rehbein, Sliter, Story, Stovall, Taylor, Thomas, Vick, Wagner, Walters, Witt, Zook.

Total 34

Excused: None.

Total 0

Absent or not voting: Dale, Fisher.

Total 2

HB 54 - Representative Menahan moved **HB 54**, as amended, do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown,

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Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 86

Noes: Adams, E. Bergsagel, P. Bergsagel, Cobb, Hanson, Johnson, Jore, Kasten, Orr, Story, Taylor, Tuss, Wagner.

Total 13

Excused: None.

Total 0

Absent or not voting: Peck.

Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Harrington moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Holden, Jackson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Walters, Williams, Wyatt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: Cobb, Hurdle, Johnson, Rehbein, Sliter, Wagner.

Total 6

Excused: None.

Total 0

Absent or not voting: Fuchs, Gutsche, Hedges, Soft, Tuss, Witt.

Total 6

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 8:00 a.m., Tuesday, February 23, 1999. Motion carried.

House adjourned at 5:10 p.m.

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MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

**HOUSE JOURNAL
FORTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
February 23, 1999

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Kasten. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirty-eighth, thirty-ninth, fortieth, forty-first, forty-second, and forty-third legislative days, find the same to be correct.

Rehbein, Chairman

After being introduced by Speaker Mercer, Miss Montana Delight Michelle Scheck spoke of her work and performed a song.

Speaker Mercer introduced the pages and honorary pages of the week:

Alison Hartman, Billings
Kacey Murch, Laurel
Marlo Manicke, Polson
Sarah Salsgiver, Deer Lodge
Katie Dell, Great Falls
Amanda Boutwell, Helena

Gillian Brown, Billings
Roy Brown, Jr., Billings
Rhett Young, Glendive
Mike Corr, Missoula
Tyler Stockton, Helena

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/23/1999

Correctly printed: **HB 555**.

Correctly engrossed: **HB 54, HB 100, HB 108, HB 129, HB 227, HB 438, HB 469, HB 559, HB 596, HB 632, HB 641, HJR 7, HJR 8, HJR 17, HJR 23, HJR 25, HJR 29, HJR 32, SB 274.**

APPROPRIATIONS (Zook, Chairman): 2/22/1999

HB 555, introduced bill, be amended as follows:

1. Page 5, line 9.

Following: "7-15-4283,"

Insert: "except as provided in subsection (2) of this section,"

2. Page 5.

Following: line 12

Insert: "(2) For purposes of the general obligation bonds authorized in this section, 7-15-4288(5) and (7) is

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excluded from the definition of aerospace transportation and technology infrastructure development projects."

Renumber: subsequent subsection

3. Page 5, line 18.

Following: "Montana"

Insert: "and has acquired a site for the project"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/22/1999

SB 265, introduced by Grimes
SB 320, introduced by Holden
SB 353, introduced by Franklin
SB 367, introduced by Thomas
SB 384, introduced by Mesaros
SB 388, introduced by Christiaens
SB 393, introduced by Waterman
SB 398, introduced by Bohlinger
SB 404, introduced by McNutt
SB 412, introduced by Stang
SB 416, introduced by Grosfield
SB 417, introduced by Waterman
SB 423, introduced by Mahlum
SB 426, introduced by Sprague
SB 429, introduced by Shea
SB 435, introduced by Waterman
SB 463, introduced by Wells
SB 468, introduced by Cocchiarella
SB 469, introduced by Waterman
SB 473, introduced by Doherty

SB 271, introduced by Taylor, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

Yeas - 37

Nays - 12

SB 323, introduced by Doherty, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

Yeas - 24

Nays - 26

FIRST READING AND COMMITMENT OF BILLS

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The following House bill was introduced, read first time, and referred to committee:

HB 649, introduced by M. McCann (by request of the House Joint Appropriations Subcommittee on Long-Range Planning), referred to Appropriations.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 100 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: Adams, E. Bergsagel, P. Bergsagel, Davies, Jore, McGee, Molnar, Orr, Rehbein, Vick, Wagner, Wyatt.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 129 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Grinde, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Matthews, McCann, McGee, McKenney, Menahan, Molnar, Mood, Ohs, Pavlovich, Raney, Rose, Ryan, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 68

Noes: Adams, P. Bergsagel, Buzzas, P. Clark, Davies, Ewer, Facey, Golie, Guggenheim, Gutsche, Hurdle, Jore, Krenzler, Lindeen, Mangan, Masolo, McCulloch, Noennig, Orr, Peck, Rehbein, Schmidt, Squires, Tuss, Vick, Wagner, Williams, Wyatt.

Total 28

Excused: None.

Total 0

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Absent or not voting: Barnhart, E. Bergsagel, Bookout-Reinicke, Quilici.
Total 4

HB 227 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Fisher, Fuchs, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 88

Noes: Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gutsche, Hurdle, Juneau, Tuss, Williams, Wyatt.
Total 11

Excused: None.
Total 0

Absent or not voting: Mood.
Total 1

HB 316 passed as follows:

Ayes: Ahner, J. Andersen, Barnhart, Beck, E. Bergsagel, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Soft, Squires, Story, Stovall, Swanson, Taylor, Thomas, Trexler, Tropila, Tuss, Williams, Wyatt, Younkin, Zook, Mr. Speaker.
Total 75

Noes: Adams, S. Anderson, Barnett, P. Bergsagel, Bitney, E. Clark, Curtiss, Fisher, Golie, Haines, Hedges, Jackson, Jore, Kasten, Lawson, McKenney, Rehbein, Sliter, Smith, Somerville, Tash, Vick, Wagner, Walters, Witt.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 325 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs,

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Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 85

Noes: Adams, E. Bergsagel, P. Bergsagel, Cobb, Gallus, Galvin-Halcro, Johnson, Jore, Kasten, McCann, Orr, Pavlovich, Peck, Rehbein, Sliter.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 438 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 79

Noes: Adams, E. Bergsagel, P. Bergsagel, Bitney, Davies, Fuchs, Haines, Hanson, Jackson, Jore, Kasten, Lawson, McGee, McKenney, Molnar, Orr, Rehbein, Sliter, Story, Vick, Walters.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 469 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Johnson, Kasten, Kitzenberg, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Stovall, Tash, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 53

Noes: Beck, P. Bergsagel, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Jackson, Jore, Juneau, Krenzler, Lawson,

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Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Orr, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Story, Swanson, Taylor, Tropila, Tuss, Williams, Wyatt.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 526 passed as follows:

Ayes: Ahner, Barnett, Barnhart, Beck, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 69

Noes: Adams, J. Andersen, S. Anderson, E. Bergsagel, P. Bergsagel, Bitney, Brown, Curtiss, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Holden, Jackson, Jore, Kasten, McGee, McKenney, Molnar, Orr, Rehbein, Sliter, Somerville, Story, Taylor, Vick, Wagner, Walters.

Total 30

Excused: None.

Total 0

Absent or not voting: Dale.

Total 1

HB 559 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 59

Noes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 41

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 588 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dell, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 77

Noes: Adams, E. Bergsagel, P. Bergsagel, Cobb, Davies, Eggers, Fuchs, Hanson, Jore, Kasten, Mangan, McGee, Molnar, Orr, Rehbein, Shockley, Story, Taylor, Tuss, Vick, Wagner, Williams.
Total 22

Excused: None.
Total 0

Absent or not voting: Dale.
Total 1

HB 592 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 90

Noes: Adams, E. Bergsagel, P. Bergsagel, Brainard, Davies, Jore, Orr, Rehbein, Vick, Wagner.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 596 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers,

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Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 94

Noes: Adams, Hagener, Jore, Orr.

Total 4

Excused: None.

Total 0

Absent or not voting: E. Clark, Harper.

Total 2

HB 601 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Mangan, Masolo, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Williams, Younkin, Zook, Mr. Speaker.

Total 61

Noes: Beck, E. Bergsagel, Buzzas, Dell, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Matthews, McCann, McCulloch, Peck, Quilici, Ryan, Schmidt, Squires, Swanson, Tropila, Tuss, Wagner, Walters, Witt, Wyatt.

Total 38

Excused: None.

Total 0

Absent or not voting: E. Clark.

Total 1

HB 632 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hagener, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Peck, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 60

Noes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Harper, Harrington, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen,

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Mangan, Matthews, McCann, McCulloch, McGee, Orr, Pavlovich, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Wyatt.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 641 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: Adams, P. Bergsagel, Jore, McCann, McGee, Orr, Rehbein, Vick, Wagner.

Total 9

Excused: None.

Total 0

Absent or not voting: Barnett, Dale, Smith.

Total 3

HJ 7 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 54

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 46

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HJ 8 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McCann, McGee, McKenney, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 59

Noes: Barnhart, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Molnar, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.
Total 41

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJ 17 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Gillan, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McCann, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 59

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.
Total 40

Excused: None.
Total 0

Absent or not voting: Taylor.
Total 1

HJ 23 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers,

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Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: E. Clark, Holden, Matthews.

Total 3

HJ 25 adopted as follows:

Ayes: Ahner, J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Sliter, Smith, Soft, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 76

Noes: Adams, S. Anderson, E. Bergsagel, P. Bergsagel, R. Clark, Davies, Hanson, Hedges, Holden, Jackson, Jore, Kasten, Masolo, McGee, Orr, Rehbein, Shockley, Simon, Somerville, Story, Taylor, Vick, Wagner, Walters.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJ 29 adopted as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

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Noes: Adams, E. Bergsagel, Brainard, Holden, Jore, Molnar, Orr, Rehbein, Vick, Wagner.
Total 10

Excused: None.
Total 0

Absent or not voting: Dale.
Total 1

HJ 32 adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.
Total 89

Noes: E. Bergsagel, P. Bergsagel, Davies, Harrington, Kasten, McCann, Molnar, Rehbein, Story, Vick, Zook.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Davies requested on **HJR 8**, 3rd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Dell requested on **HB 559**, 3rd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Squires requested on **HB 641**, 3rd reading today, that her vote be shown as yes. There being no objections, so ordered.

Representative Grinde moved that the House recess for the purpose of party caucuses and reconvene at 9:05 a.m..
Motion carried

House recessed at 8:20 a.m.

House reconvened at 9:05 a.m.

Roll Call. All members present. Quorum present.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Simon in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 108 - Representative Swanson moved **HB 108** do pass.

HB 108 - Representative Erickson moved **HB 108**, second reading copy, be amended as follows :

1. Page 3, line 5.

Strike: "3.575%"

Insert: "3.5%"

2. Page 3, line 28.

Strike: "3.575%"

Insert: "3.5%"

3. Page 3, line 29.

Strike: "40%"

Insert: "35%"

Strike: "\$300,000"

Insert: "\$200,000"

4. Page 3, line 30.

Strike: "\$300,000"

Insert: "\$200,000"

5. Page 4, line 1.

Strike: "3.575%"

Insert: "3.5%"

6. Page 11, line 20.

Strike: "40%"

Insert: "35%"

Strike: "\$300,000"

Insert: "\$200,000"

7. Page 11, line 21.

Strike: "\$300,000"

Insert: "\$200,000"

Amendment passed as follows:

Ayes: J. Andersen, S. Anderson, Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges,

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Holden, Hurdle, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Shockley, Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Williams, Witt, Wyatt, Younkin, Zook.
Total 60

Noes: Adams, Ahner, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hibbard, Jackson, Johnson, Jore, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Somerville, Thomas, Trexler, Vick, Wagner, Walters, Mr. Speaker.
Total 40

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 108 - Representative Raney moved **HB 108**, second reading copy, be further amended as follows :

1. Title, page 1, line 13.

Following: "~~OWNERS~~,"

Insert: "PRIMARY"

2. Title, page 1, line 14.

Following: "RESIDENTIAL"

Insert: "DWELLINGS, SECONDARY RESIDENTIAL DWELLINGS,"

3. Title, page 1, line 16.

Following: ".,"

Insert: "PROVIDING DEFINITIONS FOR "PRIMARY RESIDENTIAL DWELLING", "SECONDARY RESIDENTIAL DWELLING", AND "COMMERCIAL BUILDING";"

4. Title, page 1, line 20.

Following: "SECTIONS"

Insert: "15-1-101,"

5. Title, page 1, line 21.

Following: "15-8-111,"

Insert: "15-8-201"

6. Page 2.

Following: line 2

Insert: "Section 1. Section 15-1-101, MCA, is amended to read:

"15-1-101. Definitions. (1) Except as otherwise specifically provided, when terms mentioned in this section are used in connection with taxation, they are defined in the following manner:

(a) The term "agricultural" refers to:

(i) the production of food, feed, and fiber commodities, livestock and poultry, bees, fruits and vegetables, and sod, ornamental, nursery, and horticultural crops that are raised, grown, or produced for commercial purposes; and

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- (ii) the raising of domestic animals and wildlife in domestication or a captive environment.
- (b) The term "assessed value" means the value of property as defined in 15-8-111.
- (c) The term "average wholesale value" means the value to a dealer prior to reconditioning and the profit margin shown in national appraisal guides and manuals or the valuation schedules of the department.
- (d) (i) The term "commercial", when used to describe property, means property used or owned by a business, a trade, or a corporation as defined in 35-2-114 or used for the production of income, except property described in subsection (1)(d)(ii).
- (ii) The following types of property are not commercial:
 - (A) agricultural lands;
 - (B) timberlands and forest lands;
 - (C) single-family residences and ancillary improvements and improvements necessary to the function of a bona fide farm, ranch, or stock operation;
 - (D) mobile homes and manufactured homes used exclusively as a residence except when held by a distributor or dealer as stock in trade;
 - (E) all property described in 15-6-135; and
 - (F) all property described in 15-6-136.
- (e) The term "commercial building" means a building used for a bona fide commercial purpose.
- (f) The term "comparable property" means property that:
 - (i) has similar use, function, and utility;
 - (ii) is influenced by the same set of economic trends and physical, governmental, and social factors; and
 - (iii) has the potential of a similar highest and best use.
- ~~(f)~~(g) The term "credit" means solvent debts, secured or unsecured, owing to a person.
- ~~(g)~~(h) (i) "Department", except as provided in subsection (1)(g)(ii), means the department of revenue provided for in 2-15-1301.
- (ii) In chapters 70 and 71, department means the department of transportation provided for in 2-15-2501.
- ~~(h)~~(i) The terms "gas" and "natural gas" are synonymous and mean gas as defined in 82-1-111(2). The terms include all natural gases and all other fluid hydrocarbons, including methane gas or any other natural gas found in any coal formation.
- ~~(i)~~(j) The term "improvements" includes all buildings, structures, fences, and improvements situated upon, erected upon, or affixed to land. When the department determines that the permanency of location of a mobile home, manufactured home, or housetrailer has been established, the mobile home, manufactured home, or housetrailer is presumed to be an improvement to real property. A mobile home, manufactured home, or housetrailer may be determined to be permanently located only when it is attached to a foundation that cannot feasibly be relocated and only when the wheels are removed.
- ~~(j)~~(k) The term "leasehold improvements" means improvements to mobile homes and mobile homes located on land owned by another person. This property is assessed under the appropriate classification, and the taxes are due and payable in two payments as provided in 15-24-202. Delinquent taxes on leasehold improvements are a lien only on the leasehold improvements.
- ~~(k)~~(l) The term "livestock" means cattle, sheep, swine, goats, horses, mules, asses, llamas, alpacas, bison, ostriches, rheas, emus, and domestic ungulates.
- ~~(l)~~(m) The term "manufactured home" means a residential dwelling built in a factory in accordance with the United States department of housing and urban development code and the federal Manufactured Home Construction and Safety Standards. A manufactured home does not include a mobile home, as defined in 61-1-501 and in subsection ~~(1)(m)~~ (1)(n) of this section, a housetrailer, as defined in 61-1-501, or a mobile home or housetrailer constructed before the federal Manufactured Home Construction and Safety Standards went into effect on June 15, 1976.
- ~~(m)~~(n) The term "mobile home" means forms of housing known as "trailers", "housetrailers", or "trailer coaches" exceeding 8 feet in width or 45 feet in length, designed to be moved from one place to another by an independent power connected to them, or any trailer, housetrailer, or trailer coach up to 8 feet in width or 45 feet

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in length used as a principal residence.

~~(n)~~(o) The term "personal property" includes everything that is the subject of ownership but that is not included within the meaning of the terms "real estate" and "improvements".

~~(o)~~(p) The term "poultry" includes all chickens, turkeys, geese, ducks, and other birds raised in domestication to produce food or feathers.

~~(p)~~(q) The term "primary residential dwelling" means a residential building, including a single-family residence, a multifamily dwelling unit, housetrailer, manufactured home, mobile home, and appurtenant improvements, that is used as a dwelling for human habitation and that is occupied by the owner for at least 7 months of the calendar year, or is occupied by a renter for at least 6 months of the calendar year.

(r) The term "property" includes money, credits, bonds, stocks, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership. This definition may not be construed to authorize the taxation of the stocks of a company or corporation when the property of the company or corporation represented by the stocks is within the state and has been taxed.

~~(q)~~(s) The term "real estate" includes:

- (i) the possession of, claim to, ownership of, or right to the possession of land;
- (ii) all mines, minerals, and quarries in and under the land subject to the provisions of 15-23-501 and Title 15, chapter 23, part 8;
- (iii) all timber belonging to individuals or corporations growing or being on the lands of the United States; and

- (iv) all rights and privileges appertaining to mines, minerals, quarries, and timber.

~~(r)~~(t) "Recreational" means hunting, fishing, swimming, boating, waterskiing, camping, biking, hiking, and winter sports, including but not limited to skiing, skating, and snowmobiling.

~~(s)~~(u) "Research and development firm" means an entity incorporated under the laws of this state or a foreign corporation authorized to do business in this state whose principal purpose is to engage in theoretical analysis, exploration, and experimentation and the extension of investigative findings and theories of a scientific and technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes.

(v) The term "secondary residential dwelling" means a dwelling occupied by the owner for less than 7 months of the calendar year and that is not rented for more than 5 months in a calendar year.

~~(t)~~(w) The term "stock in trade" means any mobile home, manufactured home, or housetrailer that is listed by the dealer as inventory and that is offered for sale, is unoccupied, and is not located on a permanent foundation. Inventory does not have to be located at the business location of a dealer or a distributor.

~~(u)~~(x) The term "taxable value" means the percentage of market or assessed value as provided for in Title 15, chapter 6, part 1.

(2) The phrase "municipal corporation" or "municipality" or "taxing unit" includes a county, city, incorporated town, township, school district, irrigation district, or drainage district or a person, persons, or organized body authorized by law to establish tax levies for the purpose of raising public revenue.

(3) The term "state board" or "board" when used without other qualification means the state tax appeal board." "

Renumber: subsequent sections

7. Page 2, lines 27 and 28.

Strike: "SINGLE-FAMILY" on line 27 through the second "HOMES" on line 28

Insert: "primary residential dwellings"

8. Page 2, line 28 through line 29.

Strike: "SINGLE-FAMILY" on line 28 through the first "IMPROVEMENTS" on line 29

Insert: "primary residential dwellings"

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9. Page 2, line 30.

Strike: "INCLUDING RENTAL MULTIFAMILY DWELLING UNITS"

Insert: "secondary residential dwellings"

10. Page 12.

Following: line 1

Insert: "**Section 6.** Section 15-8-201, MCA, is amended to read:

"15-8-201. General assessment day. (1) The department shall, between January 1 and the second Monday of July in each year, ascertain the names of all taxable inhabitants and assess all property subject to taxation in each county.

(2) The department shall assess property to:

(a) the person by whom it was owned or claimed or in whose possession or control it was at midnight of the preceding January 1; or

(b) except in the case of land splits, the new owner if the provisions of 15-7-304 have been met and the transfer certificate has been received and processed prior to determining the taxes that are due as provided in 15-10-305(2).

(3) The department shall also ascertain and assess all mobile homes arriving in the county after midnight of the preceding January 1.

(4) A mistake in the name of the owner or supposed owner of real property does not invalidate the assessment.

(5) The procedure provided by this section does not apply to:

(a) motor vehicles;

(b) motor homes, travel trailers, and campers;

(c) watercraft;

(d) livestock;

(e) property defined in 61-1-104 as special mobile equipment that is subject to assessment for personal property taxes on the date that application is made for a special mobile equipment plate;

(f) mobile homes and manufactured homes held by a distributor or dealer as stock in trade; and

(g) property subject to the provisions of 15-16-203.

(6) Credits must be assessed as provided in 15-1-101~~(1)(f)~~. "

Renumber: subsequent sections

11. Page 19, line 25.

Strike: "5"

Insert: "7"

12. Page 19, line 26.

Strike: "9(2)"

Insert: "11(2)"

13. Page 20, line 1.

Strike: "6"

Insert: "8"

14. Page 20, line 6.

Strike: "5"

Insert: "7"

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15. Page 20, line 9.

Strike: "6"

Insert: "8"

Amendment failed as follows:

Ayes: Barnhart, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Matthews, McCulloch, McGee, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ryan, Shockley, Squires, Tropila, Tuss, Wagner, Williams.

Total 38

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Golie, Grinde, Guggenheim, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Mangan, Masolo, McCann, McKenney, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 61

Excused: None.

Total 0

Absent or not voting: Wyatt.

Total 1

HB 108 - Representative Harper moved **HB 108**, second reading copy, be further amended as follows :

1. Page 2, line 27.

Following: "RESIDENCES"

Insert: ", rental multifamily dwelling units,"

2. Page 2, line 28.

Following: "RESIDENCES"

Insert: ", rental multifamily dwelling units,"

3. Page 2, line 30.

Strike: ", INCLUDING RENTAL MULTIFAMILY DWELLING UNITS,"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

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Total 97

Noes: Haines, Jackson, Orr.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **HB 108**, as amended, do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 84

Noes: Adams, Barnett, E. Bergsagel, P. Bergsagel, Brainard, Brown, R. Clark, Curtiss, Davies, Jore, Kasten, Orr, Rehbein, Shockley, Vick, Zook.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 274 - Representative Wyatt moved **SB 274** be concurred in. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 93

Noes: Adams, Facey, Jore, McGee, Orr, Rehbein, Shockley.

Total 7

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SB 200 - Representative Mood moved **SB 200** be concurred in.

SB 200 - Representative Erickson moved **SB 200**, second reading copy, be amended as follows :

1. Title, page 1, line 12.

Following: "PROPERTY;"

Insert: "PROVIDING LIMITED REPORTING REQUIREMENTS FOR EXEMPT BUSINESS EQUIPMENT;"

2. Title, page 1, line 21.

Following: "15-6-207,"

Insert: "15-8-301,"

3. Page 26.

Following: line 23

Insert: "**Section 14.** Section 15-8-301, MCA, is amended to read:

"15-8-301. Statement -- what to contain. (1) The department may require from a person a statement under oath setting forth specifically all the real and personal property owned by, in possession of, or under the control of the person at midnight on January 1. The statement must be in writing, showing separately:

(a) all property belonging to, claimed by, or in the possession or under the control or management of the person;

(b) all property belonging to, claimed by, or in the possession or under the control or management of any firm of which the person is a member;

(c) all property belonging to, claimed by, or in the possession or under the control or management of any corporation of which the person is president, secretary, cashier, or managing agent;

(d) the county in which the property is situated or in which the property is liable to taxation and, if liable to taxation in the county in which the statement is made, also the city, town, school district, road district, or other revenue districts in which the property is situated;

(e) an exact description of all lands, improvements, and personal property;

(f) all depots, shops, stations, buildings, and other structures erected on the space covered by the right-of-way and all other property owned by any person owning or operating any railroad within the county.

(2) The department shall notify the taxpayer in the statement for reporting personal property owned by a business or used in a business that the statement is for reporting business equipment and other business personal property described in Title 15, chapter 6, part 1. A taxpayer owning exempt business equipment is subject to limited reporting requirements. The department shall by rule develop reporting requirements for business equipment to limit the annual reporting of exempt business equipment to the extent feasible.

(3) Whenever one member of a firm or one of the proper officers of a corporation has made a statement showing the property of the firm or corporation, another member of the firm or another officer is not required to include the property in that person's statement but the statement must show the name of the person or officer who made the statement in which the property is included.

(4) The fact that a statement is not required or that a person has not made a statement, under oath or otherwise, does not relieve the person's property from taxation."

Renumber: subsequent sections

4. Page 41, line 24.

Strike: "20" through "30"

Insert: "21, 22, 27 through 29, and 31"

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5. Page 41, line 26.

Following: "(c)"

Insert: ", 14,"

Strike: "24"

Insert: "25"

6. Page 41, line 28.

Following: "13"

Insert: ", 15"

Strike: "19" through "25(1)"

Insert: "20, 23, 24, and 26(1)"

7. Page 41, line 29.

Strike: "25(2)"

Insert: "26(2)"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 97

Noes: Jore, Kasten, Orr.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 200 - Representative Hibbard moved **SB 200**, second reading copy, be further amended as follows :

1. Page 34, line 5.

Strike: "2"

Insert: "24"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore,

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Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Lindeen excused at this time.

SB 200 - Representative Gillan moved **SB 200**, second reading copy, be further amended as follows :

1. Title, page 1, line 11.

Following: "PROVIDING"

Insert: "A 2-YEAR"

2. Title, page 1, line 12.

Following: "PROPERTY;"

Insert: "CAPPING THE CLASS EIGHT PROPERTY TAX EXEMPTION AT \$40,000; REIMBURSING LOCAL TAXING JURISDICTIONS FOR THE PARTIAL EXEMPTION OF CLASS EIGHT PROPERTY;"

3. Title, page 1, line 22.

Strike: "15-6-138,"

4. Page 4, line 25.

Following: "2000;"

Insert: "and"

5. Page 4, lines 26 through 28.

Strike: ";" on line 26 through "2003" on line 28

6. Page 11, line 25.

Strike: "60%"

Insert: "40%"

7. Page 11, line 27.

Following: "and" on line 27

Insert: "and"

8. Page 11, line 30.

Strike: "80%"

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Insert: "40%"

9. Page 12, lines 1 through 4.

Strike: "1" on line 1 through "39%" on line 4

10. Page 13, line 11.

Strike: "60%"

Insert: "40%"

11. Page 13, line 12.

Following: "~~and~~"

Insert: "and"

12. Page 13, line 15.

Strike: "80%"

Insert: "40%"

13. Page 13, lines 16 through 19.

Strike: "1; AND" on line 16 through "23%" on line 19

14. Page 14, line 19.

Strike: "60%"

Insert: "40%"

15. Page 14, line 20.

Following: "~~and~~"

Insert: "and"

16. Page 14, line 23.

Strike: "80%"

Insert: "40%"

17. Page 14, lines 24 through 27.

Strike: "1; AND" on line 24 through "11.25%" on line 27

18. Page 15, line 29.

Strike: "60%"

Insert: "40%"

19. Page 15, line 30.

Following: "~~and~~"

Insert: "and"

20. Page 16, line 3.

Strike: "80%"

Insert: "40%"

21. Page 16, lines 4 through 7.

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Strike: "; AND" on line 4 through "11.25%" on line 7

22. Page 17, line 19.

Strike: "60%"

Insert: "40%"

23. Page 17, line 20.

Following: "and"

Insert: "and"

24. Page 17, line 23.

Strike: "80%"

Insert: "40%"

25. Page 17, lines 24 through 27.

Strike: "; AND" on line 24 through "13%" on line 27

26. Page 24, line 19.

Following: "and"

Insert: "and"

27. Page 24, line 26 through page 25, line 12.

Strike: ";" on page 24, line 26 through "EQUIPMENT" on page 25, line 12

28. Page 35, line 15.

Strike: "60%"

Insert: "40%"

29. Page 35, line 16.

Following: "and"

Insert: "and"

30. Page 35, line 19.

Strike: "80%"

Insert: "40%"

31. Page 35, lines 20 through 23.

Strike: "; AND" on line 20 through "45%" on line 23

32. Page 36, line 12.

Strike: "60%"

Insert: "40%"

33. Page 36, line 13.

Following: "and"

Insert: "and"

34. Page 36, line 16.

Strike: "80%"

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Insert: "40%"

35. Page 36, line 17 through line 20.

Strike: " ; AND " on line 17 through "90%" on line 20

36. Page 40.

Following: line 8

Insert: "(4) The reimbursement amount for tax year 2002 and each subsequent tax year is equal to the reimbursement amount received by a taxing jurisdiction, as adjusted by the result of dissolved or combined taxing jurisdictions, as provided for in subsection (6), in tax year 2001."

Renumber: subsequent subsections

37. Page 40, line 28.

Strike: "(1)"

38. Page 40, line 30.

Strike: subsection (2) in its entirety

39. Page 41, line 28.

Strike: "(1)(Z)"

40. Page 41, line 29.

Strike: subsection (4) in its entirety

Amendment failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Dell, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Mangan, Matthews, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Squires, Swanson, Williams.
Total 35

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Eggers, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Lenhart, Lindeen, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 65

Voted Absentee: Lindeen, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **SB 200**, as amended, do pass carried as follows:

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Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lenhart, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Rehbein, Rose, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 61

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lawson, Lindeen, Mangan, Matthews, McCulloch, Menahan, Orr, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Squires, Swanson, Tropila, Tuss, Williams.
Total 39

Voted Absentee: Lindeen, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Grinde moved that the House recess until 12:15 p.m. Motion carried.

House recessed at 11:40 a.m.

House reconvened at 12:20 p.m. Representative Simon in the chair.

SB 260 - Representative Rose moved **SB 260** be concurred in.

SB 260 - Representative Swanson moved **SB 260**, second reading copy, be amended as follows :

1. Page 3, line 21.

Strike: "I"

Strike: "I"

2. Page 3, line 23.

Strike: "I"

Strike: "I"

3. Page 4, line 10.

Strike: "AND" through the second "1999"

4. Page 4, line 13.

Strike: "I"

Strike: "I"

5. Page 5, lines 20 through 24.

Strike: section 5 in its entirety

Renumber: subsequent section

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Amendment failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 42

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 58

Voted Absentee: Lindeen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **SB 260** be concurred in carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 95

Noes: Brainard, Ewer, Hagener, Peck.

Total 4

Voted Absentee: Lindeen, Aye.

Excused: None.

Total 0

Absent or not voting: Tuss.

Total 1

HJR 28 - Representative Grinde moved **HJR 28** be adopted. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bookout-Reinicke,

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Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 88

Noes: Adams, Brainard, Davies, Jore, McGee, Orr, Rehbein, Story.

Total 8

Excused: Lindeen.

Total 1

Absent or not voting: Bitney, Fuchs, Vick.

Total 3

HJR 1 - Representative McCulloch moved **HJR 1** be adopted.

HJR 1 - Representative Mercer moved **HJR 1**, second reading copy, be amended as follows :

1. Page 1, line 18.

Following: line 17

Insert: "WHEREAS, school districts have a need for funding for building maintenance, construction or reconstruction, technology acquisition, textbooks, classroom supplies, and library materials; and"

2. Page 1, line 26.

Following: "system"

Insert: "and to providing funding for building maintenance, construction or reconstruction, technology acquisition, textbooks, classroom supplies, and library materials"

Amendment passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Kasten, Kitzenberg, Krenzler, Mangan, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 66

Noes: Beck, Buzzas, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Jore, Juneau, Lawson, Lenhart, Lindeen, Matthews, McCulloch, Menahan, Orr, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Williams, Wyatt.

Total 33

Voted Absentee: Lindeen, No.

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Excused: None.
Total 0

Absent or not voting: Vick.
Total 1

HJR 1 - Representative McCulloch moved **HJR 1**, second reading copy, be further amended as follows :

1. Title, line 6.

Following: "INFLATION"

Insert: ", THAT ADEQUATELY COMPENSATES TEACHERS,"

2. Page 1.

Following: line 11

Insert: "WHEREAS, Montana public school children consistently rank among the top students nationally and internationally on standardized academic tests; and

WHEREAS, the quality of Montana teachers and small class sizes relate directly to the excellent academic performance of Montana students; and

WHEREAS, Montana teachers now earn an average of \$9,000 less than the national average paid to teachers; and

WHEREAS, raising teacher salaries will keep Montana competitive with other states and assist our quality teachers to remain in Montana; and"

3. Page 1, line 24.

Following: "inflation"

Insert: ", that increases Montana teacher salaries to a level that is competitive with other states in the nation,"

Amendment passed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, R. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, Menahan, Molnar, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Thomas, Tropila, Tuss, Williams, Wyatt.

Total 52

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, McGee, McKenney, Mood, Orr, Rehbein, Shockley, Simon, Sliter, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 46

Voted Absentee: Lindeen, Aye.

Excused: None.
Total 0

Absent or not voting: Hibbard, Somerville.
Total 2

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Motion that **HJR 1**, as amended, be adopted carried as follows:

Ayes: J. Andersen, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Thomas, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Mr. Speaker.

Total 76

Noes: Adams, Ahner, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Davies, Grinde, Hanson, Hedges, Jore, Kasten, McGee, Mood, Orr, Rehbein, Story, Tash, Trexler, Vick, Walters, Zook.

Total 22

Voted Absentee: Lindeen, Aye.

Excused: None.

Total 0

Absent or not voting: E. Clark, Taylor.

Total 2

HB 133 - Representative Buzzas moved **HB 133** do pass.

HB 133 - Representative Buzzas moved **HB 133**, second reading copy, be amended as follows :

1. Title, line 14.

Strike: "\$3,461"

Insert: "\$3,546"

Strike: "\$3,513"

Insert: "\$3,688"

2. Title, line 16.

Strike: "\$4,821"

Insert: "\$4,868"

3. Title, line 17.

Strike: "\$4,869"

Insert: "\$4,966"

4. Title, line 18.

Strike: "\$25,000"

Insert: "\$21,500"

5. Title, line 19.

Following: "~~TO~~ \$25,000"

Insert: "TO \$25,000"

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6. Title, line 21.

Strike: "~~\$202,000~~"

Insert: "\$204,000"

Strike: "~~\$204,020~~"

Insert: "\$208,080"

7. Title, line 22 through line 24.

Strike: "APPROPRIATING" on line 22 through "MATERIALS" on line 24

Insert: "PROVIDING AN APPROPRIATION FOR SPECIAL EDUCATION"

8. Title, line 24.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "AND"

9. Title, line 25.

Strike: "20-9-375"

10. Page 2, line 22.

Strike: "~~\$202,000~~"

Insert: "\$204,000"

11. Page 2, line 23.

Strike: "~~\$25,000~~"

Insert: "\$21,500"

12. Page 2, line 27.

Strike: "~~\$25,000~~"

Insert: "\$21,500"

13. Page 2, line 29.

Strike: "~~\$202,000~~"

Insert: "\$204,000"

14. Page 3, line 11.

Strike: "~~\$4,821~~"

Insert: "\$4,868"

15. Page 3, line 15.

Strike: "~~\$3,461~~"

Insert: "\$3,546"

16. Page 3, line 21.

Strike: "~~\$3,461~~"

Insert: "\$3,546"

17. Page 3, line 24.

Strike: "~~\$4,821~~"

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Insert: "\$4,868"

18. Page 4, line 20.

Strike: "\$204,020"

Insert: "\$208,080"

19. Page 4, line 27.

Strike: "\$204,020"

Insert: "\$208,080"

20. Page 5, line 9.

Strike: "\$4,869"

Insert: "\$4,966"

21. Page 5, line 13.

Strike: "\$3,513"

Insert: "\$3,688"

22. Page 5, line 19.

Strike: "\$3,513"

Insert: "\$3,688"

23. Page 5, line 22.

Strike: "\$4,869"

Insert: "\$4,966"

24. Page 5, line 26 through page 6, line 12.

Strike: section 3 in its entirety

Renumber: subsequent sections

25. Page 6, line 15.

Strike: "\$13"

Insert: "\$5.2"

26. Page 6, line 15 and line 16.

Strike: the second "THE" on line 15 through "31" on line 16

Insert: "state special education payments to schools"

27. Page 6, line 24.

Strike: "SECTIONS"

Insert: "Section"

Strike: "AND 3"

Strike: "TERMINATE"

Insert: "terminates"

Amendment failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson,

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Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.

Total 46

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Masolo, McGee, McKenney, Molnar, Mood, Ohs, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 54

Voted Absentee: Lindeen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **HB 133** do pass failed as follows:

Ayes: Ahner, J. Andersen, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Fisher, Fuchs, Grinde, Hedges, Hibbard, Holden, Jackson, Johnson, Masolo, McKenney, Molnar, Ohs, Shockley, Simon, Sliter, Soft, Somerville, Story, Thomas, Trexler, Wagner, Witt, Younkin, Mr. Speaker.

Total 35

Noes: Adams, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Buzzas, P. Clark, Davies, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hurdle, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Matthews, McCann, McCulloch, McGee, Menahan, Mood, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Smith, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Walters, Williams, Wyatt, Zook.

Total 64

Excused: Lindeen.

Total 1

Absent or not voting: None.

Total 0

HB 406 - Representative Williams moved **HB 406** do pass.

HB 406 - Representative Williams moved **HB 406**, second reading copy, be amended as follows :

1. Title, line 14.

Following: "17-7-502,"

Insert: "AND"

2. Title, line 14 and line 15.

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Strike: "20-9-346" on line 14 through "20-9-371," on line 15

3. Page 1, line 19.

Strike: "CALCULATION --"

4. Page 1, line 19 through line 21.

Strike: "STATE" on line 19 through "ANB)" on line 21

Insert: "superintendent of public instruction shall allocate the amount appropriated for the state payment for school capital projects to each district based on the per-ANB of the district"

5. Page 9, line 9 through page 13, line 29.

Strike: sections 7, 8, 9, 10, and 11 in their entirety

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Adams, Brainard, Holden, Johnson, Jore, Orr.

Total 6

Voted Absentee: Lindeen, Aye.

Excused: None.

Total 0

Absent or not voting: Grinde, Sliter.

Total 2

Motion that **HB 406**, as amended, do pass failed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Molnar, Noennig, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Somerville, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.

Total 48

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Masolo, McGee, McKenney, Mood, Ohs, Orr, Rehbein, Rose, Shockley,

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Simon, Sliter, Soft, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.

Total 52

Voted Absentee: Lindeen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 72 - Representative Mercer moved **HB 72** do pass. Motion carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: Adams, E. Bergsagel, Curtiss, Davies, Jore, Kasten, Molnar, Orr, Rehbein, Story, Vick.

Total 11

Voted Absentee: Lindeen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 607 - Representative Grinde moved consideration of **HB 607** be passed for the day. Motion carried.

HB 606 - Representative Anderson moved **HB 606** do pass.

HB 606 - Representative P.Clark moved **HB 606**, second reading copy, be amended as follows :

1. Page 2, line 20.

Strike: "9"

Insert: "8"

2. Page 3, lines 4 and 5.

Strike: "[section 5, 7, or 8]"

Insert: "[section 6 or 7], 61-5-105, and 61-5-106, or the person has been licensed in another jurisdiction for at least 1 year and surrenders a valid driver's license from that jurisdiction"

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3. Page 3, line 13.

Strike: "[section 5, 7, or 8]"

Insert: "[section 6 or 7], 61-5-105, and 61-5-106"

4. Page 3, lines 15 through 29.

Strike: section 5 in its entirety

Renumber: subsequent sections

5. Page 4, line 10.

Following: "headquarters"

Insert: "within 100 miles of farm headquarters"

6. Page 4, line 14.

Following: "permit"

Insert: "or traffic education learner license"

7. Page 5, line 2 and line 3.

Strike: "a parent" on line 2 through "guardian," on line 3

8. Page 5, line 3.

Strike: "who has a valid driver's license"

9. Page 5, line 8.

Strike: "express"

Insert: "sole"

10. Page 5, line 9.

Following: "headquarters"

Insert: "within 100 miles of farm headquarters"

11. Page 5, line 11.

Strike: "and"

12. Page 5, line 13.

Following: "seatbelts"

Insert: "; and (e) with no more than two other passengers under 18 years of age who are not members of the driver's immediate family"

13. Page 5, line 21.

Strike: "-- suspension"

14. Page 5, line 23.

Strike: "under [sections 5, 6 or 7]"

15. Page 5, line 25 through line 29.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

16. Page 6, line 4.

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Strike: "7 or 8"
Insert: "6 or 7"

17. Page 6, line 6.

Strike: "(3)"
Insert: "(2)"

18. Page 6, line 14 through line 15.

Strike: "has" on line 14 through "81" on line 15

Insert: "is at least 15 years of age, has passed a traffic education course approved by the department and the superintendent of public instruction, and has held an instruction permit or traffic education learner license for at least 6 months"

19. Page 7, line 11.

Strike: "in accordance with the provisions of [section 5]"

Insert: "satisfying the age requirements specified in 61-5-105(1) after the applicant has successfully passed the knowledge test and the vision examination as provided in 61-5-110. An instruction permit entitles the permitholder, while in immediate possession of the permit and accompanied by a licensed driver seated beside the permitholder, to drive a motor vehicle upon the public highways. If the permitholder is under 18 years of age, the licensed driver accompanying the permitholder must be the permittee's parent or legal guardian or, with the permission of the permittee's parent or legal guardian, a licensed driver 18 years of age or older"

19. Page 7, line 16.

Strike: "and"

Insert: "seated beside the licensee. A traffic education learner license"

21. Page 11, line 3 and line 5.

Strike: "9" in both places

Insert: "8"

22. Page 11, line 12 and line 13.

Strike: "a" on line 12 through "instruction" on line 13

Insert: "an instruction permit, a traffic education learner license, or a traffic education permit"

Amendment passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, McCulloch, McKenney, Menahan, Molnar, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schmidt, Shockley, Simon, Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 78

Noes: Adams, Barnhart, E. Bergsagel, Cobb, Galvin-Halcro, Grinde, Holden, Johnson, Jore, Masolo, Matthews, McCann, McGee, Mood, Orr, Ryan, Squires, Tuss, Wagner.
Total 19

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Excused: Lindeen.
Total 1

Absent or not voting: Sliter, Vick.
Total 2

HB 606 - Representative Wagner moved **HB 606**, second reading copy, be further amended as follows :

1. Title, line 6 through line 8.
Strike: "CREATING" on line 6 through "LICENSE;" on line 8

2. Page 2, line 20.
Strike: "9"
Insert: "8"

3. Page 3, line 5.
Following: line 5
Insert: "6, or"
Strike: ", or 8"

4. Page 3, line 13.
Following: "5,"
Insert: "6, or"
Strike: ", or 8"

5. Page 4, line 1 through line 10.
Strike: section 6 in its entirety
Renumber: subsequent sections

6. Page 5, line 22.
Strike: ", an agricultural permit,"

7. Page 5, line 23.
Following: "5"
Strike: ", "
Insert: "or"
Strike: "or 7"

8. Page 6, line 4.
Strike: "7 or 8"
Insert: "6 or 7"

9. Page 6, line 15.
Following: "5,"
Insert: "6, and"
Strike: ", and 8"

10. Page 11, line 3.
Strike: "9"

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Insert: "8"

11. Page 11, line 5.

Strike: "9"

Insert: "8"

Amendment failed as follows:

Ayes: Ahner, J. Andersen, Barnhart, Beck, P. Bergsagel, Brainard, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Golie, Hagener, Haines, Harper, Harrington, Johnson, Juneau, Kitzenberg, Krenzler, Masolo, Matthews, McCulloch, McGee, Menahan, Molnar, Noennig, Orr, Pavlovich, Quilici, Raney, Ryan, Simon, Soft, Squires, Swanson, Tropila, Tuss, Wagner, Williams, Witt, Wyatt.

Total 48

Noes: Adams, S. Anderson, Barnett, E. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Fisher, Galvin-Halcro, Gillan, Grinde, Guggenheim, Gutsche, Hanson, Hedges, Hibbard, Holden, Hurdle, Jackson, Jore, Kasten, Lawson, Lenhart, Mangan, McCann, McKenney, Mood, Ohs, Peck, Rehbein, Rose, Schmidt, Shockley, Sliter, Smith, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Walters, Younkin, Zook, Mr. Speaker.

Total 51

Excused: Lindeen.

Total 1

Absent or not voting: None.

Total 0

Representative Pavlovich moved for cloture.

Motion that **HB 606**, as amended, do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Bitney, Bookout-Reinicke, Brainard, P. Clark, R. Clark, Curtiss, Dell, Erickson, Ewer, Facey, Gallus, Gillan, Guggenheim, Haines, Hedges, Hibbard, Hurdle, Jackson, Juneau, Kasten, Lawson, Lenhart, Mangan, McCann, McKenney, Mood, Noennig, Ohs, Peck, Raney, Rose, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Tash, Thomas, Trexler, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 52

Noes: Adams, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brown, Buzzas, E. Clark, Cobb, Dale, Davies, Eggers, Fisher, Fuchs, Galvin-Halcro, Golie, Grinde, Gutsche, Hagener, Hanson, Harper, Harrington, Holden, Johnson, Jore, Kitzenberg, Krenzler, Lindeen, Masolo, Matthews, McCulloch, McGee, Menahan, Molnar, Orr, Pavlovich, Quilici, Rehbein, Ryan, Story, Swanson, Taylor, Tropila, Tuss, Vick, Wagner, Williams, Wyatt.

Total 48

Voted Absentee: Lindeen, No.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Simon moved the Committee of the Whole report be adopted.

HB 406 - Representative Williams made a substitute motion that **HB 406** be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion failed as follows:

Ayes: Barnhart, Beck, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Matthews, McCulloch, Menahan, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt, Younkin.
Total 46

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Masolo, McCann, McGee, McKenney, Molnar, Mood, Ohs, Orr, Rehbein, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Zook, Mr. Speaker.
Total 52

Excused: Lindeen.
Total 1

Absent or not voting: Fuchs.
Total 1

Committee of the whole report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, P. Clark, R. Clark, Curtiss, Davies, Dell, Fisher, Gallus, Grinde, Haines, Hanson, Harper, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Masolo, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Walters, Younkin, Zook, Mr. Speaker.
Total 65

Noes: Barnhart, Buzzas, Cobb, Eggers, Erickson, Ewer, Facey, Fuchs, Galvin-Halcro, Golie, Guggenheim, Gutsche, Hagener, Harrington, Hurdle, Krenzler, Lenhart, Mangan, Matthews, Orr, Peck, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Wagner, Williams, Wyatt.
Total 31

Excused: Lindeen.
Total 1

Absent or not voting: Dale, Gillan, Witt.
Total 3

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MOTIONS

Representative Dale moved that the House reconsider its action on **HB 586**. Motion carried as follows:

Ayes: Ahner, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hurdle, Jackson, Juneau, Kitzenberg, Krenzler, Lenhart, Mangan, McCulloch, Menahan, Noennig, Ohs, Pavlovich, Quilici, Raney, Schmidt, Simon, Smith, Soft, Stovall, Swanson, Tash, Thomas, Tropila, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 61

Noes: Adams, J. Andersen, E. Bergsagel, P. Bergsagel, Brainard, Brown, R. Clark, Curtiss, Galvin-Halcro, Gillan, Hanson, Hibbard, Holden, Johnson, Jore, Kasten, Lawson, Masolo, Matthews, McCann, McGee, McKenney, Molnar, Mood, Orr, Peck, Rehbein, Rose, Ryan, Shockley, Sliter, Somerville, Squires, Story, Taylor, Trexler, Tuss, Wyatt.

Total 38

Excused: Lindeen.

Total 1

Absent or not voting: None.

Total 0

Representative Pavlovich requested on **HB 72**, 2nd reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Juneau moved that the House reconsider its action on **HB 529**. Motion failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hibbard, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Mangan, Matthews, McCann, McCulloch, Menahan, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Smith, Soft, Squires, Stovall, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 47

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Rehbein, Shockley, Simon, Sliter, Somerville, Story, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 52

Excused: Lindeen.

Total 1

Absent or not voting: None.

Total 0

Representative Harper moved that **HB 451** be taken from the Committee on State Administration, printed, and placed on 2nd reading.

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Representative Trexler called for the previous question.

Motion failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Cobb, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Kitzenberg, Krenzler, Lenhart, Mangan, Matthews, McCann, McCulloch, Menahan, Orr, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 43

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Lawson, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 55

Excused: Lindeen.

Total 1

Absent or not voting: Story.

Total 1

Representative Harper moved that **HB 108**, **SB 200**, and **SB 260** be rereferred to the Committee on Appropriations.
Motion failed as follows:

Ayes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Matthews, McCann, McCulloch, McGee, Menahan, Noennig, Orr, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Soft, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.

Total 47

Noes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Jore, Kasten, Masolo, McKenney, Molnar, Mood, Ohs, Rehbein, Rose, Shockley, Simon, Sliter, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 52

Excused: Lindeen.

Total 1

Absent or not voting: None.

Total 0

Representative Shockley requested on **SB 274**, 2nd reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Hanson requested on **SB 274**, 2nd reading today, that her vote be shown as yes. There being no

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objections, so ordered.

Representative Grinde moved that **HB 72** be rereferred to the Committee on Appropriations. Motion carried.

SPECIAL ORDERS OF THE DAY

The following cosponsors have been added to **HB 647**: Representatives Beck, Buzzas, Dell, Eggers, Facey, Golie, Hagener, Krenzler, Menahan, Mood, Quilici, Schmidt, Shockley, Simon, Swanson, and Williams and Senators Bohlinger and Crippen.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 8:00 a.m., Wednesday, February 24, 1999. Motion carried.

House adjourned at 4:20 a.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House

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Helena, Montana
February 24, 1999

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Davies. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Kasten and Wagner. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Rehbein, Chairman): 2/24/1999
Correctly engrossed: **HB 606, HJR 1, HJR 28, SB 200, SB 260.**

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/23/1999

SB 130, introduced by Hertel
SB 132, introduced by Hertel
SB 220, introduced by Toews
SB 233, introduced by Bohlinger
SB 264, introduced by Ekegren
SB 270, introduced by Devlin
SB 302, introduced by Toews
SB 344, introduced by Swysgood
SB 345, introduced by Shea
SB 355, introduced by Mohl
SB 365, introduced by Mohl
SB 366, introduced by Bartlett
SB 372, introduced by Halligan
SB 390, introduced by Bishop
SB 403, introduced by Stang
SB 409, introduced by Ellingson
SB 419, introduced by Shea
SB 421, introduced by Mahlum
SB 430, introduced by Roush
SB 434, introduced by Waterman
SB 446, introduced by Taylor
SB 448, introduced by Franklin
SB 452, introduced by Beck
SB 453, introduced by Beck
SB 457, introduced by Cocchiarella
SB 466, introduced by Halligan
SB 470, introduced by Eck
SB 471, introduced by Cole
SB 472, introduced by Wells
SB 476, introduced by Bishop
SB 477, introduced by Mahlum

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SB 481, introduced by Thomas
SB 486, introduced by Halligan
SB 488, introduced by Bartlett
SB 490, introduced by Glaser
SB 500, introduced by Berry
SB 503, introduced by Ellingson
SB 504, introduced by Lynch
SB 505, introduced by Grimes
SB 506, introduced by Grimes
SB 507, introduced by Grimes

Senate joint resolutions passed and transmitted to the House for concurrence:

SJR 8, introduced by Jergeson
SJR 12, introduced by Cole

SB 10 - The Senate failed to concur in House amendments to **SB 10**, introduced by Mohl.

House amendments to Senate bill concurred in:

SB 133, introduced by Mohl

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 54 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hibbard, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, Cobb, Jore, Orr, Tuss.

Total 5

Voted Absentee: Wagner, Aye.

Excused: Kasten.

Total 1

Absent or not voting: Hedges, Holden, Hurdle.

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Total 3

HB 108 passed as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnhart, Beck, Bitney, Bookout-Reinicke, Buzzas, E. Clark, P. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 83

Noes: Adams, Barnett, E. Bergsagel, P. Bergsagel, Brainard, Brown, R. Clark, Davies, Jore, Kasten, Molnar, Orr, Rehbein, Shockley, Vick.

Total 15

Voted Absentee: Wagner, Aye; Kasten, No.

Excused: None.

Total 0

Absent or not voting: Hibbard, Ohs.

Total 2

HB 298 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Ewer, Fisher, Fuchs, Gillan, Golie, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 74

Noes: Barnhart, Buzzas, P. Clark, Eggers, Erickson, Facey, Gallus, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Mangan, Peck, Ryan, Schmidt, Smith, Squires, Swanson, Tuss, Williams, Wyatt.

Total 25

Voted Absentee: Wagner, Aye.

Excused: Kasten.

Total 1

Absent or not voting: None.

Total 0

HB 478 passed as follows:

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Ayes: Ahner, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Buzzas, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hedges, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, Menahan, Molnar, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Tropila, Tuss, Walters, Williams, Wyatt, Mr. Speaker.

Total 69

Noes: Adams, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brown, E. Clark, Cobb, Haines, Hanson, Hibbard, Jore, Masolo, McCann, Mood, Noennig, Orr, Rehbein, Smith, Story, Taylor, Trexler, Vick, Wagner, Witt, Younkin, Zook.

Total 28

Voted Absentee: Wagner, No.

Excused: Kasten.

Total 1

Absent or not voting: Fisher, McKenney.

Total 2

HB 548 passed as follows:

Ayes: Adams, Ahner, Barnhart, Beck, Bitney, Buzzas, P. Clark, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Swanson, Thomas, Trexler, Tuss, Wagner, Walters, Williams, Wyatt, Mr. Speaker.

Total 69

Noes: J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Brainard, Brown, E. Clark, R. Clark, Cobb, Davies, Grinde, Hagener, Hanson, Jore, Kitzenberg, Masolo, McCann, Orr, Rehbein, Story, Stovall, Tash, Taylor, Tropila, Vick, Witt, Younkin, Zook.

Total 29

Voted Absentee: Wagner, Aye.

Excused: Kasten.

Total 1

Absent or not voting: Bookout-Reinicke.

Total 1

HB 550 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Beck, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Facey, Fisher, Fuchs, Gillan, Golie, Grinde, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Jackson, Jore, Krenzler, Lenhart, Masolo, Matthews,

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McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 68

Noes: Barnhart, E. Bergsagel, P. Clark, Cobb, Eggers, Erickson, Ewer, Gallus, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Hurdle, Juneau, Kitzenberg, Lawson, Lindeen, Mangan, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Squires, Swanson, Thomas, Williams, Wyatt.

Total 30

Voted Absentee: Wagner, Aye.

Excused: Kasten.

Total 1

Absent or not voting: Johnson.

Total 1

HB 560 passed as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gillan, Golie, Grinde, Guggenheim, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 89

Noes: E. Bergsagel, P. Bergsagel, Cobb, Gallus, Galvin-Halcro, Gutsche, Hurdle, Jore, Mangan, Wyatt.

Total 10

Voted Absentee: Wagner, Aye.

Excused: Kasten.

Total 1

Absent or not voting: None.

Total 0

HB 563 failed as follows:

Ayes: S. Anderson, Beck, P. Bergsagel, Bookout-Reinicke, Brown, E. Clark, P. Clark, Davies, Dell, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Hagener, Harrington, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McGee, Molnar, Noennig, Pavlovich, Peck, Quilici, Raney, Rehbein, Ryan, Schmidt, Simon, Smith, Soft, Somerville, Story, Stovall, Vick, Wyatt.

Total 49

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Noes: Adams, Ahner, J. Andersen, Barnett, Barnhart, E. Bergsagel, Bitney, Brainard, Buzzas, R. Clark, Cobb, Curtiss, Eggers, Erickson, Ewer, Facey, Fisher, Gutsche, Haines, Hanson, Harper, Hedges, Hibbard, Holden, McCann, McCulloch, McKenney, Menahan, Mood, Ohs, Orr, Rose, Shockley, Sliter, Squires, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.
Total 49

Voted Absentee: Wagner, No.

Excused: Kasten.
Total 1

Absent or not voting: Dale.
Total 1

HB 633 passed as follows:

Ayes: Adams, Ahner, J. Andersen, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Davies, Dale, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Haines, Hanson, Hedges, Holden, Jackson, Johnson, Jore, Kitzenberg, Krenzler, Lawson, Lenhart, Masolo, McCann, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Rose, Shockley, Simon, Sliter, Soft, Somerville, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.
Total 64

Noes: Barnhart, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Galvin-Halcro, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Hurdle, Juneau, Lindeen, Mangan, Matthews, McCulloch, McGee, Orr, Peck, Raney, Rehbein, Ryan, Schmidt, Smith, Squires, Story, Swanson, Williams, Wyatt.
Total 34

Voted Absentee: Wagner, Aye.

Excused: Kasten.
Total 1

Absent or not voting: S. Anderson.
Total 1

HJ 1 adopted as follows:

Ayes: J. Andersen, Barnett, Barnhart, Beck, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Tuss, Wagner, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 81

Noes: Adams, Ahner, S. Anderson, E. Bergsagel, P. Bergsagel, Curtiss, Davies, Grinde, Hanson, Jore, Kasten,

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McGee, Orr, Rehbein, Shockley, Story, Taylor, Vick, Walters.
Total 19

Voted Absentee: Wagner, Aye; Kasten, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJ 28 adopted as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 91

Noes: Adams, Brainard, Davies, Jore, McGee, Orr, Rehbein, Story, Vick.
Total 9

Voted Absentee: Kasten, Wagner, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 200 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Krenzler, Lenhart, Masolo, McCann, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 65

Noes: Barnhart, Beck, Buzzas, P. Clark, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Lawson, Lindeen, Mangan, Matthews, McCulloch, Menahan, Orr, Peck, Raney, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams.
Total 35

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Voted Absentee: Kasten, Wagner, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 260 concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Erickson, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 92

Noes: Brainard, Eggers, Ewer, Hagener, Orr, Peck, Smith.
Total 7

Voted Absentee: Kasten, Wagner, Ayes.

Excused: None.
Total 0

Absent or not voting: Williams.
Total 1

SB 274 concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.
Total 91

Noes: Adams, Facey, Hurdle, Jore, Krenzler, Orr, Rehbein, Shockley.
Total 8

Voted Absentee: Kasten, Wagner, Ayes.

Excused: None.

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Total 0

Absent or not voting: Simon.

Total 1

HB 606 failed as follows:

Ayes: J. Andersen, S. Anderson, Barnett, Bitney, Bookout-Reinicke, Brainard, P. Clark, R. Clark, Curtiss, Dell, Erickson, Facey, Guggenheim, Haines, Hedges, Jackson, Lawson, Lenhart, Mangan, McKenney, Noennig, Ohs, Raney, Rose, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Tash, Thomas, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 38

Noes: Adams, Ahner, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Brown, Buzzas, E. Clark, Cobb, Dale, Davies, Eggers, Ewer, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Gutsche, Hagener, Hanson, Harper, Harrington, Holden, Hurdle, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lindeen, Masolo, Matthews, McCann, McCulloch, McGee, Menahan, Molnar, Mood, Orr, Pavlovich, Peck, Quilici, Rehbein, Ryan, Schmidt, Shockley, Story, Swanson, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Williams, Wyatt.

Total 61

Voted Absentee: Kasten, Wagner, Noes.

Excused: None.

Total 0

Absent or not voting: Hibbard.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 4:00 p.m., Monday, March 1, 1999. Motion carried.

House adjourned at 4:00 p.m.

MARILYN MILLER
Chief Clerk of the House

JOHN MERCER
Speaker of the House